


Florida Department of  
Environmental Protection

---

Memorandum

TO: Trina Vielhauer, Bureau of Air Regulation  
THROUGH: Jonathan Holtom, Title V Section J.H.  
FROM:  Bruce Thomas  
DATE: June 23, 2008  
SUBJECT: Draft/Proposed Permit No. 0090180-004-AV  
Oleander Power Project, L.P., Oleander Power Project  
Unit 5 Simple Cycle Combustion Turbine

Attached for your review are the following items:

- Written Notice of Intent to Issue Air Permit;
- Public Notice of Intent to Issue Air Permit;
- Statement of Basis;
- Draft/Proposed Permit; and
- P.E. Certification.

The Draft Permit incorporates the specific conditions of air construction permit 0090180-003-AC, which authorized the construction of a nominal 190 MW simple cycle combustion turbine electrical generator and associated fuel oil storage tank at Oleander Power Project, which is located in Brevard County, Florida. The Statement of Basis provides a summary of the project and the rationale for issuance. The P.E. certification briefly summarizes the proposed project.

The application was received and deemed complete on May 10, 2008. Day 90 is July 11, 2008. There is no ongoing/open enforcement case for this facility, as informed to us by the Central District Office.

I recommend your approval of the attached Draft Permit.

Attachments

**P.E. CERTIFICATION STATEMENT**

**PERMITTEE**

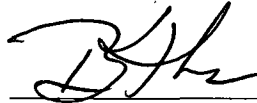
Oleander Power Project, L.P.  
555 Townsend Road  
Cocoa, Florida 32926

Draft Air Permit No. 0090180-004-AV  
Oleander Power Project  
Revised Title V Air Operation Permit  
Brevard County, Florida

**PROJECT DESCRIPTION**

The purpose of this permit is to revise the Title V Air Operation Permit and to incorporate air construction Permit No. PSD-FL-377 (Project No. 0090180-003-AC) which authorized the construction of a nominal 190 MW simple cycle combustion turbine electrical generator and associated fuel oil storage tank.

*I HEREBY CERTIFY that the air pollution control engineering features described in the above referenced application and subject to the proposed permit conditions provide reasonable assurance of compliance with applicable provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-4 and 62-204 through 62-297. However, I have not evaluated and I do not certify aspects of the proposal outside of my area of expertise (including, but not limited to, the electrical, mechanical, structural, hydrological, geological, and meteorological features).*



Bruce Thomas, P.E.  
Registration Number: 60278

Date: 6/6/2008





# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

July 7, 2008

*Electronic Mail -- Received Receipt Requested*

Mr. Joseph Miller, Operations Manager  
Oleander Power Project, L.P.  
555 Townsend Road  
Cocoa, Florida 32926

Re: Draft/Proposed Permit No. 0090180-004-AV  
Oleander Power Project, L.P., Oleander Power Project  
Title V Permit Revision

Dear Mr. Miller:

Enclosed is the draft permit package to revise the Title V air operation permit for Oleander Power Project. This facility is located in Brevard County at 555 Townsend Road, Cocoa, Florida. The permit package includes the following documents:

- The Statement of Basis, which summarizes the facility, the equipment, the primary rule applicability, and the changes since the last Title V revision.
- The draft/proposed Title V air operation permit revision, which include the specific permit conditions that regulate the emissions units covered by the proposed project.
- The Written Notice of Intent to Issue Air Permit Revision provides important information regarding: the Permitting Authority's intent to issue an air permit for the proposed project; the requirements for publishing a Public Notice of the Permitting Authority's intent to issue an air permit; the procedures for submitting comments on the revised Draft Permit; the process for filing a petition for an administrative hearing; and the availability of mediation.
- The Public Notice of Intent to Issue Air Permit Revision is the actual notice that you must have published in the legal advertisement section of a newspaper of general circulation in the area affected by this project.

If you have any questions, please contact the Project Engineer, Bruce Thomas, by telephone at 850/921-7744 or by email at [bruce.x.thomas@dep.state.fl.us](mailto:bruce.x.thomas@dep.state.fl.us).

Sincerely,

Trina Vielhauer, Chief  
Bureau of Air Regulation

TLV/jkh/bt

---

**WRITTEN NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION**

---

*In the Matter of an  
Application for Title V Air Operation Permit by:*

Oleander Power Project, L.P.  
555 Townsend Road  
Cocoa, Florida 32926

*Responsible Official:*  
Joseph Miller, Operations Manager

Draft/Proposed Permit No. 0090180-004-AV  
Oleander Power Project  
Facility ID No. 0090180  
Unit 5 Simple Cycle Combustion Turbine  
Brevard County, Florida

**Facility Location:** Oleander Power Project, L.P. operates the Oleander Power Project, which is located at 527 Townsend Road, Cocoa, Brevard County, Florida.

**Project:** The purpose of this project is to revise the Title V air operation permit No. 0090180-002-AV and to incorporate air construction Permit No. PSD-FL-377 (Project No. 0090180-003-AC) which authorized the construction of a nominal 190 MW simple cycle combustion turbine electrical generator and associated fuel oil storage tank. Details of the project are provided in the application and the enclosed Statement of Basis.

**Permitting Authority:** Applications for Title V air operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 and 62-214 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Title V air operation permit is required to operate the facility. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

**Project File:** A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the address indicated above for the Permitting Authority. The complete project file includes the Draft/Proposed Permit, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the Draft/Proposed Permit by visiting the following website: <http://www.dep.state.fl.us/air/eproducts/apds/default.asp> and entering the permit number shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

**Notice of Intent to Issue Permit:** The Permitting Authority gives notice of its intent to issue a revised Title V air operation permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft/Proposed Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

**Public Notice:** Pursuant to Section 403.815, F.S. and Rules 62-110.106 and 62-210.350, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Public Notice of Intent to Issue Air Permit (Public Notice). The Public Notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The newspaper used must meet the requirements of Sections 50.011 and 50.031, F.S. in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the Permitting Authority

---

Oleander Power Project, L.P.  
Oleander Power Project

Draft/Proposed Permit No.0090180-004-AV  
Unit 5 Simple Cycle Combustion Turbine

---

**WRITTEN NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION**

---

at the above address or phone number. Pursuant to Rule 62-110.106(5) and (9), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within 7 days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

**Comments:** The Permitting Authority will accept written comments concerning the Draft/Proposed Title V air operation permit for a period of 30 days from the date of publication of the Public Notice. Written comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the official web site for notices at Florida Administrative Weekly (FAW) at <http://faw.dos.state.fl.us/> and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the Draft/Proposed Permit, the Permitting Authority shall issue a Revised Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

**Petitions:** A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this Written Notice of Intent to Issue Air Permit. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the attached Public Notice or within 14 days of receipt of this Written Notice of Intent to Issue Air Permit, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of when and how each petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

## WRITTEN NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this Written Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

**Mediation:** Mediation is not available in this proceeding.

**EPA Review:** EPA has agreed to treat the Draft/Proposed Title V air operation permit as a Proposed Title V air operation permit and to perform its 45-day review provided by the law and regulations concurrently with the public comment period. Although EPA's 45-day review period will be performed concurrently with the public comment period, the deadline for submitting a citizen petition to object to the EPA Administrator will be determined as if EPA's 45-day review period is performed after the public comment period has ended. The Final Title V air operation permit will be issued after the conclusion of the 45-day EPA review period so long as no adverse comments are received that results in a different decision or significant change of terms or conditions. The status regarding EPA's 45-day review of this project and the deadline for submitting a citizen petition can be found at the following website address: <http://www.epa.gov/region4/air/permits/Florida.htm>.

**Objections:** Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm>.

Executed in Tallahassee, Florida.



Trina L. Vielhauer, Chief  
Bureau of Air Regulation

**WRITTEN NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION**

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Written Notice of Intent to Issue Air Permit package (including the Public Notice, the Statement of Basis, and the Draft/Proposed Permit) was sent by electronic mail with received receipt requested before the close of business on 7/7/08 to the persons listed below.

Mr. Joseph Miller, Southern Company: [jmiller@southernco.com](mailto:jmiller@southernco.com)

Mr. Kevin White, Southern Company: [kwhite@southernco.com](mailto:kwhite@southernco.com)

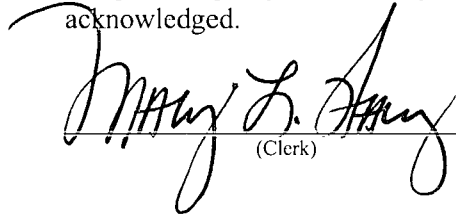
Ms. Gracy Danois, U.S. EPA Region 4: [danois.gracy@epa.gov](mailto:danois.gracy@epa.gov)

Mr. James Bradner, Central District: [James.Bradner@dep.state.fl.us](mailto:James.Bradner@dep.state.fl.us)

Ms. Barbara Friday, DEP BAR: [Barbara.Friday@dep.state.fl.us](mailto:Barbara.Friday@dep.state.fl.us) (for posting with U.S. EPA, Region 4)

Clerk Stamp

**FILING AND ACKNOWLEDGMENT FILED**, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency clerk, receipt of which is hereby acknowledged.

  
\_\_\_\_\_  
(Clerk)

7/7/08  
\_\_\_\_\_  
(Date)

## PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION

Florida Department of Environmental Protection  
Division of Air Resource Management, Bureau of Air Regulation  
Draft/Proposed Air Permit No. 0090180-004-AV  
Oleander Power Project, L.P., Oleander Power Project  
Brevard County, Florida

**Applicant:** The applicant for this project is Oleander Power Project, L.P. The applicant's authorized representative and mailing address is: Joseph Miller, Operations Manager, Oleander Power Project, L.P., Oleander Power Project, 555 Townsend Road, Cocoa, Florida 32926.

**Facility Location:** Oleander Power Project, L.P. operates the existing Oleander Power Project, which is located in Brevard County at 555 Townsend Road, Cocoa, Florida.

**Project:** The purpose of this project is to revise the Title V air operation permit No. 0090180-002-AV and to incorporate air construction Permit No. PSD-FL-377 (Project No. 0090180-003-AC) which authorized the construction of a nominal 190 MW simple cycle combustion turbine electrical generator (EU-005) and associated fuel oil storage tank.

**Permitting Authority:** Applications for Title V air operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213, 62-214 and 62-296.470 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Title V air operation permit is required to operate the facility. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

**Project File:** A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the address indicated above for the Permitting Authority. The complete project file includes the Draft/Proposed Permit, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the Draft/Proposed Permit by visiting the following website: <http://www.dep.state.fl.us/air/eproducts/apds/default.asp> and entering the permit number shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

**Notice of Intent to Issue Air Permit:** The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft/Proposed Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

**Comments:** The Permitting Authority will accept written comments concerning the Draft/Proposed Title V air operation Permit for a period of 30 days from the date of publication of the Public Notice. Written comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the official web site for notices at Florida Administrative Weekly (FAW) at <http://faw.dos.state.fl.us/> and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments

(Public Notice to be Published in the Newspaper)



## PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION

received at a public meeting result in a significant change to the Draft/Proposed Permit, the Permitting Authority shall issue a Revised Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

**Petitions:** A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 days of publication of the Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address and telephone number of the petitioner; the name address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial rights will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this Public Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

**Mediation:** Mediation is not available for this proceeding.

**EPA Review:** EPA has agreed to treat the Draft/Proposed Title V air operation permit as a Proposed Title V air operation permit and to perform its 45-day review provided by the law and regulations concurrently with the public comment period. Although EPA's 45-day review period will be performed concurrently with the public comment period, the deadline for submitting a citizen petition to object to the EPA Administrator will be determined as if EPA's 45-day review period is performed after the public comment period has ended. The Final Title V air operation permit will be issued after the conclusion of the 45-day EPA review period so long as no adverse comments are received that results in a different decision or significant change of terms or conditions. The status regarding EPA's 45-day review of this project and the deadline for submitting a citizen petition can be found at the following website address: <http://www.epa.gov/region4/air/permits/Florida.htm>.

**Objections:** Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition

(Public Notice to be Published in the Newspaper)

## **PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION**

the Administrator of the EPA within sixty (60) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the thirty (30) day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm> .

**(Public Notice to be Published in the Newspaper)**

## STATEMENT OF BASIS

### PROJECT DESCRIPTION

The purpose of this project is to revise Title V air operation permit No. 0090180-002-AV to incorporate the specific conditions of air construction Permit No. 0090180-003-AC. This project included the construction of a nominal 190 MW simple cycle combustion turbine electrical generator, and the installation of one 900,000 gallon distillate fuel oil storage tank at the existing Oleander Power Project.

### FACILITY DESCRIPTION

The regulated emissions units at the existing Oleander Power Project include four nominal 190 MW simple cycle combustion turbines (Units 001 through 004). Natural gas is the primary fuel, with low-sulfur distillate fuel oil as the back-up fuel. Nitrogen oxide (NO<sub>x</sub>) emissions are controlled by dry low NO<sub>x</sub> (DLN) combustors when firing natural gas, and a water injection (WI) system for use when firing No. 2, or superior grade, distillate fuel oil. Because continuous emissions monitors are used to demonstrate compliance with the NO<sub>x</sub> emissions limits, Compliance Assurance Monitoring (CAM) does not apply to these emissions units.

### PRIMARY REGULATORY REQUIREMENTS

Title IV: The facility operates units subject to the acid rain provisions of the Clean Air Act.

Title V: The facility is a Title V major source of air pollution in accordance with Chapter 213, F.A.C.

CAIR: The facility is subject to the Clean Air Interstate Rule (CAIR) set forth in Rule 62-296.470, Florida Administrative Code (F.A.C).

PSD: The facility is a Prevention of Significant Deterioration (PSD)-major source of air pollution in accordance with Rule 62-212.400, F.A.C.

NSPS: The facility operates units subject to the New Source Performance Standards (NSPS) of 40 Code of Federal Regulations (CFR) 60.

CAMR: The facility is subject to the Clean Air Mercury Rule (CAMR) set forth in Rule 62-296.480, F.A.C.

### APPLICABLE REGULATIONS

In addition to federal rules above, this facility is subject to the following state rules:

APPLICABLE REGULATIONS	EU ID
Rule 62-4, Permitting Requirements	001, 002, 003, 004
Rule 62-204, Ambient Air Quality Requirements, PSD Increments, and Federal Regulations Adopted by Reference	
Rule 62-210, Permits Required, Public Notice, Reports, Stack Height Policy, Circumvention, Excess Emissions, and Forms	
Rule 62-212, Preconstruction Review, PSD Review and BACT, and Non-attainment Area Review and LAER	
Rule 62-213, Title V Air Operation Permits for Major Sources of Air Pollution	
Rule 62-214, Acid Rain Program Requirements	
Rule 62-296, Emission Limiting Standards	
Rule 62-297, Test Methods and Procedures, Continuous Monitoring Specifications, and Alternate Sampling Procedures	

## STATEMENT OF BASIS

---

### PROJECT REVIEW

Section III, Subsection C was added to incorporate specific conditions C.1 through C.33 for the Unit 5, 190 MW simple cycle combustion turbine. Appendices A through H were consolidated in Section IV and contain NSPS Subparts A and KKKK, general and standard permit conditions, the permit history, summary compliance tables, insignificant emission units, and the Acid Rain Part application.

### CONCLUSION

This project revises Title V air operation permit No. 0090180-002-AV, which was issued on July 9, 2003. This Title V Air Operation Permit Revision is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4, 62-210 and 62-213, F.A.C. In accordance with the terms and conditions of this permit, the above named permittee is hereby authorized to operate the facility as shown on the application and approved drawings, plans, and other documents, on file with the permitting authority.

**Draft/Proposed Title V Air Operation Permit  
Permit No. 0090180-004-AV**

**Facility**

Oleander Power Project  
Facility ID No. 0090180  
Brevard County, Florida

**Permittee**

Oleander Power Project, L.P.

**Permitting Authority**

Florida Department of Environmental Protection  
Division of Air Resource Management  
Bureau of Air Regulation  
Mail Station #5505  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400  
Telephone: 850/488-0114  
Fax: 850/921-9533

## DRAFT

**PERMITTEE:**

Oleander Power Project, L.P.  
555 Townsend Road  
Cocoa, Florida 32926

Permit No. 0090180-004-AV  
Oleander Power Project  
Facility ID No. 0090180  
Title V Air Operation Permit

The purpose of this permit is to revise the Title V Air Operation Permit and to incorporate air construction Permit No. PSD-FL-377 (Project No. 0090180-003-AC) which authorized the construction of a nominal 190 MW simple cycle combustion turbine electrical generator and associated fuel oil storage tank. The facility is located at 527 Townsend Road, Cocoa, Brevard County. UTM coordinates are: Zone 17; 520.1 km East; 3137.6 km North; Latitude: 28° 21' 58" North; Longitude: 80° 47' 41" West. The Title V air operation permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, 62-213 and 62-214. The above named permittee is hereby authorized to operate the facility shown on the application and approved drawings, plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

Effective Date: January 1, 2004  
Revision Effective Date: Day 55  
Renewal Application Due Date: July 1, 2008  
Expiration Date: December 31, 2008

(Draft)

---

Joseph Kahn, Director  
Division of Air Resource Management

JK/tlv/jkh/bxt

This permitting action will revise the following specific conditions in the current Title V operating permit No. 0090180-002-AV. Deletions are shown in strikethrough; additions are shown in double-underline.

**Section I. Facility Information**

**Subsection A. Facility Description**

This facility consists of ~~four~~ five, dual-fuel (natural gas and fuel oil), nominal 190 megawatt (MW) General Electric Frame 7FA simple-cycle combustion turbine-electrical generators with ~~four~~ five 60-foot stacks; two 1.8-million gallon capacity fuel oil storage tanks; and one 900,000 gallon capacity fuel oil storage tank. Emissions from the combustion turbine units are controlled by Dry Low NO<sub>x</sub> (DLN) combustors when operating on natural gas, and wet injection when firing fuel oil. Inherently clean fuels and good combustion practices are employed to control all pollutants.

The facility is subject to all applicable provisions of Chapter 403, Florida Statutes, Florida Administrative Code Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-296 and 62-297; and the applicable requirements of the Code of Federal Regulations (CFR) Section 40, Parts 60, 72, 73, and 75. The facility holds ORIS code **55286** under Phase II of the Federal Acid Rain Program.

**Subsection B. Summary of Emissions Unit ID Nos. and Brief Descriptions**

<b>E. U. ID No.</b>	<b>Brief Description</b>
001	Simple-Cycle Combustion Turbine-Electrical Generator (nominal 190 megawatt)
002	Simple-Cycle Combustion Turbine-Electrical Generator (nominal 190 megawatt)
003	Simple-Cycle Combustion Turbine-Electrical Generator (nominal 190 megawatt)
004	Simple-Cycle Combustion Turbine-Electrical Generator (nominal 190 megawatt)
<u>005</u>	<u>Simple-Cycle Combustion Turbine-Electrical Generator (nominal 190 megawatt)</u>
006	Fuel Oil Storage Tank (1.8-million gallon)
007	Fuel Oil Storage Tank (1.8-million gallon)

**Section II. Facility-wide Conditions**

16. Appendices. The Appendices attached to this permit are an enforceable part of the permit unless otherwise indicated.

**Section III. Emissions Unit Specific Conditions**

**Subsection C. Simple-Cycle Combustion Turbine-Electrical Generator**

<u>E.U. ID</u>	<u>Emission Unit Description</u>
005	Unit 5 - Consists of one General Electric PG7241 FA gas turbine electrical generator (nominal 190 MW) equipped with evaporative inlet air cooling.

**APPLICABLE STANDARDS AND REGULATIONS**

**C.1. NSPS Requirements:** This unit shall comply with the applicable New Source Performance Standards (NSPS) in 40 CFR 60, including: Subpart A (General Provisions) and Subpart KKKK (Standards of Performance for Stationary Gas Turbines). See Appendix A and Appendix KKKK of this permit. The BACT emissions standards for NO<sub>x</sub> and the fuel sulfur specifications for PM/PM<sub>10</sub> are as stringent as, or more stringent than the NO<sub>x</sub> and SO<sub>2</sub> limits imposed by the applicable NSPS provisions. Some separate reporting and monitoring may be required by the individual subparts. [Rule 62-204.800(7)(b), F.A.C.; 40 CFR 60, Subparts A and KKKK]

**EQUIPMENT DESCRIPTION**

**C.2. Combustion Turbine:** The permittee is authorized to install, tune, operate, and maintain one General Electric Model PG7241FA gas turbine-electrical generator set with a nominal generating capacity of 190 MW. The combustion turbine will be equipped with GE's DLN combustor, and an inlet air filtration system with evaporative coolers. The combustion turbine will be designed for operation in simple cycle mode and will have dual-fuel capability. [Application and Design]

**CONTROL TECHNOLOGY**

**C.3. DLN Combustion:** The permittee shall operate and maintain the General Electric DLN 2.6 combustion system (or better) to control NO<sub>x</sub> emissions from the combustion turbine when firing natural gas. Prior to the initial emissions performance tests required for the gas turbine, the DLN combustors and automated gas turbine control system shall be tuned to achieve the permitted levels for NO<sub>x</sub>. Thereafter, the system shall be maintained and tuned in accordance with the manufacturer's recommendations or determined best practices. [Design and Rule 62-212.400(10)(BACT), F.A.C.]

**C.4. Wet Injection:** The permittee shall install, operate, and maintain a water injection system to reduce NO<sub>x</sub> emissions from the combustion turbine when firing distillate fuel oil. Prior to the initial emissions performance tests, the water injection system shall be tuned to achieve sufficiently low NO<sub>x</sub> values to meet the NO<sub>x</sub> limits of this permit. Thereafter, the system shall be maintained and tuned in accordance with the manufacturer's recommendations or determined best practices. [Applicant request and Rule 62-212.400(10)(BACT), F.A.C.]

**PERFORMANCE REQUIREMENTS**

**C.5. Hours of Operation:** The combustion turbine may operate no more than 3,390 hours per calendar year. Restrictions on individual methods of operation are specified in separate conditions. [Rules 62-210.200(PTE, and BACT) and 62-212.400 (PSD), F.A.C.]

**C.6. Permitted Capacity:** The nominal heat input rate to the combustion turbine is 1,722 MMBtu per hour when firing natural gas and 1,920 MMBtu per hour when firing fuel oil (based on a compressor inlet air temperature of 59° F, the lower heating value (LHV) of each fuel, and 100% load). Heat input rates will vary depending upon gas turbine characteristics, ambient conditions, alternate methods of operation, and evaporative cooling. The permittee shall provide manufacturer's performance curves (or equations) that correct for site conditions to the Permitting and Compliance Authorities within 45 days of completing the



initial compliance testing and shall be resubmitted at anytime that these are changed as a result of new testing. Operating data may be adjusted for the appropriate site conditions in accordance with the performance curves and/or equations on file with the Department. [Rules 62-210.200(PTE) and 62-213.440(1) F.A.C.]

**C.7. Authorized Fuels:** The combustion turbine shall fire natural gas as the primary fuel, which shall contain no more than 1.5 grains of sulfur per 100 standard cubic feet of natural gas. As a restricted alternate fuel, the combustion turbine may fire low sulfur fuel oil containing no more than 0.05% sulfur by weight. The gas turbine shall fire no more than 500 hours of fuel oil, during any calendar year. [Rules 62-210.200(PTE and BACT) and 62-212.400 (PSD and PSD Avoidance), F.A.C.]

**C.8. Simple Cycle, Intermittent Operation:** The turbine shall operate only in simple cycle mode not to exceed the permitted hours of operation allowed by this permit. This restriction is based on the permittee's request, which formed the basis of the PSD applicability and BACT determination and resulted in the emission standards specified in this permit. For any request to convert this unit to combined cycle operation by installing/connecting to heat recovery steam generators, including changes to the fuel quality or quantity related to combined cycle conversion which may cause an increase in short or long-term emissions, the permittee may be required to submit a full PSD permit application complete with a new proposal of the best available control technology (BACT) as if the unit had never been built. [Rules 62-212.400(12) and 62-212.400(BACT), F.A.C.]

**EMISSIONS AND TESTING REQUIREMENTS**

**C.9. Emission Standards:** Emissions from the combustion turbine shall not exceed the following standards.

<b><u>Pollutant</u></b>	<b><u>Emission Standard<sup>c</sup></u></b>	<b><u>Averaging Time</u></b>	<b><u>Compliance Method</u></b>	<b><u>Basis</u></b>
<b><u>NO<sub>x</sub></u></b> <b><u>(Gas)</u></b>	<u>9.0 ppmvd @ 15% O<sub>2</sub></u>	<u>24-hr rolling</u>	<u>CEMS</u>	<b><u>BACT</u></b>
	<u>62.5 lb/hr</u>	<u>3 (1-hr runs)</u>	<u>Stack Test</u>	
<b><u>NO<sub>x</sub></u></b> <b><u>(Oil)</u></b>	<u>42.0 ppmvd @ 15% O<sub>2</sub></u>	<u>4-hr rolling</u>	<u>CEMS</u>	<b><u>NSPS</u></b>
	<u>336.8 lb/hr</u>	<u>3 (1-hr runs)</u>	<u>Stack Test</u>	
<b><u>PM/PM<sub>10</sub><sup>a</sup></u></b>	<u>10 % Opacity</u>	<u>6-minute block</u>	<u>Visible Emissions Test</u>	<b><u>BACT</u></b>
	<u>1.5 gr S/100 SCF of gas/ 0.05 % S fuel oil</u>	<u>N/A</u>	<u>Record Keeping</u>	
<b><u>SO<sub>2</sub><sup>b</sup></u></b>	<u>1.5 gr S/100 SCF of gas/ 0.05 % S fuel oil</u>	<u>N/A</u>	<u>Record Keeping</u>	<b><u>PSD Avoidance</u></b>

- The fuel sulfur specifications combined with the efficient combustion design and operation of the combustion turbine represent BACT for PM/PM<sub>10</sub> emissions. Compliance with the visible emissions standard shall serve as an indicator of good combustion.
- The fuel sulfur specifications and limited hours of operation effectively limit the potential emissions of SO<sub>2</sub> and sulfuric acid mist (SAM) from the gas turbine.
- The mass emission rate standards are based on a turbine inlet condition of 59°F and 100 percent full load operation. Mass emission rate may be adjusted from actual test conditions in accordance with the performance curves and/or equations on file with the Department.

{Permitting Note: In combination with the annual restriction on hours of operation, the above emissions standards effectively limit annual potential emissions from the combustion turbine to: 174.5 tons/year of NO<sub>x</sub>, 34.5 tons/year of PM/PM<sub>10</sub>, and 37.1 tons/year of SO<sub>2</sub>.}

[Rules 62-4.070(3), 62-210.200 (BACT), 62-212.400(PSD and PSD Avoidance), F.A.C, and 40 CFR 60, Subpart KKKK]

**C.10. Nitrogen Oxides (NO<sub>x</sub>):** Emissions of NO<sub>x</sub> from the CT shall not exceed the following standards on a continuous basis and as measured by the required CEMS for the averaging period specified, and as measured during the required stack tests.

a. While firing natural gas: 9.0 ppmvd @ 15% O<sub>2</sub> on a 24-hour rolling average (as measured by the required CEMS and defined by this permit).

62.5 /lb/hr (3 1-hr run stack test)

b. While firing fuel oil: 42.0 ppmvd @ 15% O<sub>2</sub> on a 4-hr rolling average (as measured by the required CEMS and defined by subpart KKKK attached as an Appendix to this permit).

336.8 lb/hr (3 1-hr run stack test)

[Rules 62-4.070(3), 62-210.200 (BACT), 62-212.400(PSD), F.A.C, and 40 CFR 60.4380]

**C.11. Sulfur Dioxide (SO<sub>2</sub>):**

a. While firing natural gas: The fuel sulfur specifications, established in condition C.7 of this subsection, of 1.5 grains per 100 standard cubic feet effectively limit the potential emissions of SO<sub>2</sub> from the combustion turbine while firing natural gas.

b. While firing fuel oil: The fuel sulfur specification, established in condition C.7 of this subsection, of 0.05 % sulfur by weight effectively limit the potential emissions of SO<sub>2</sub> from the combustion turbine while firing fuel oil.

[Rules 62-4.070(3) and 62-212.400 (PSD Avoidance), F.A.C]

**C.12. Particulate Matter (PM/PM<sub>10</sub>):** The fuel sulfur specifications, established in condition C.7 of this subsection, combined with the efficient combustion, design, and operation of the combustion turbine represent BACT for PM/PM<sub>10</sub> emissions. Compliance with the fuel specifications and visible emissions standard shall serve as indicators of good combustion. Visible emissions shall not exceed 10 % opacity as observed during the required 30-minute visible emissions tests. [Rules 62-4.070(3), 62-210.200 (BACT), 62-212.400(PSD), and 62-297.310(4)(a)2, F.A.C]

**C.13. Test Methods:** Required tests shall be performed in accordance with the following reference methods.

<u>Method</u>	<u>Description of Method and Comments</u>
<u>7E</u>	<u>Determination of NO<sub>x</sub> Emissions (Instrumental).</u>
<u>9</u>	<u>Visual Determination of Opacity</u>
<u>20</u>	<u>Determination of NO<sub>x</sub>, SO<sub>2</sub>, and Diluent Emissions from Stationary Gas Turbines</u>

The methods are described in 40 CFR 60, Appendix A, and adopted by reference in Rule 62-204.800, F.A.C. No other methods may be used for compliance testing unless prior written approval is received from the administrator of the Department's Emissions Monitoring Section in accordance with an alternate sampling procedure pursuant to 62-297.620, F.A.C. [Rules 62-204.800, F.A.C. and 40 CFR 60, Appendix A]

**C.14. Annual tests shall be conducted between 90% and 100% of permitted capacity in accordance with the requirements of Rule 62-297.310(2), F.A.C. during each federal fiscal year (October 1<sup>st</sup>, to September 30<sup>th</sup>). Tests shall be conducted for each pollutant while firing each fuel in the CT. If normal operation on**

fuel oil is less than 400 hours per calendar year, then subsequent compliance testing on fuel oil is not required for that year. If normal operation on fuel oil exceeds 400 hours per year, the Department shall require compliance testing for NO<sub>x</sub> and visible emissions while firing fuel oil. For each run during tests for visible emissions, emissions of NO<sub>x</sub> recorded by the CEMS shall also be reported. Data collected from the reference method during the required CEMS quality assurance RATA tests may substitute for annual compliance tests for NO<sub>x</sub>, provided the owner or operator indicates this intent in the submitted test protocol, and obtains approval prior to testing. If the RATA is conducted at less than permitted capacity, and the data is used for annual compliance, the requirements of 62-297.310(2) (Operating Rate During Testing) still apply. The mass emission rate standards are based on a turbine inlet condition of 59°F and 100 percent full load operation. Mass emission rate may be adjusted from actual test conditions in accordance with the performance curves and/or equations on file with the Department. [Rules 62-210.200(BACT), 62-4.070, 62-297.310(2), and (7)(a), F.A.C.; and 40 CFR 60.8]

- C.15. Continuous Compliance: Continuous compliance with the permit standard for emissions of NO<sub>x</sub> shall be demonstrated with data collected from the required continuous monitoring system. [Rules 62-4.070 and 62-210.200(BACT), F.A.C.]
- C.16. Special Compliance Tests: When the Department, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department. [Rule 62-297.310(7)(b), F.A.C.]

#### **EXCESS EMISSIONS**

*{Permitting Note: The following conditions apply only to the SIP-based emissions standards specified in Condition No C.9 and C.10 of this subsection. Rule 62-210.700, F.A.C. (Excess Emissions) cannot vary or supersede any federal provision of the NSPS, NESHAP, or Acid Rain programs.}*

#### **C.17. Definitions:**

- a. Startup is defined as the commencement of operation of any emissions unit which has shut down or ceased operation for a period of time sufficient to cause temperature, pressure, chemical or pollution control device imbalances, which result in excess emissions.
- b. Shutdown is the cessation of the operation of an emissions unit for any purpose.
- c. Malfunction is defined as any unavoidable mechanical and/or electrical failure of air pollution control equipment or process equipment or of a process resulting in operation in an abnormal or unusual manner.

*{Permitting Note: The applicant has described startup of this unit as the period from 0 to 50% load, and shutdown as the period beginning at 50 % load to no load operation.}*

[Rule 62-210.200(165, 242, and 258), F.A.C.]

- C.18. Excess Emissions Prohibited: Excess emissions caused entirely or in part by poor maintenance, poor operation or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction shall be prohibited. All such preventable emissions shall be included in any compliance determinations based on CEMS data. [Rule 62-210.700(4), F.A.C.]
- C.19. Data Exclusion Procedures for SIP Compliance: As per the procedures in this condition, limited amounts of CEMS emissions data, as specified in condition 24, may be excluded from the corresponding SIP-based compliance demonstration, provided that best operational practices to minimize emissions are adhered to, the duration of data excluded is minimized, and the procedures for data exclusion listed below are

followed. As provided by the authority in Rule 62-210.700(5), F.A.C., these conditions replace the provisions in Rule 62-210.700(1), F.A.C.

- a. Limiting Data Exclusion: If the compliance calculation using all valid CEMS emission data indicates that the emission unit is in compliance, then no CEMS data shall be excluded from the compliance demonstration.
- b. Event Driven Exclusion: There must be an underlying event (startup, shutdown, malfunction, or fuel switching) in order to exclude data. If there is no underlying event, then no data may be excluded.
- c. Continuous Exclusion: Data shall be excluded on a continuous basis. Data from discontinuous periods shall not be excluded for the same underlying event.

[Rule 62-210.700 F.A.C.]

**C.20. Allowable Data Exclusions:** The following data may be excluded from the corresponding SIP-based compliance demonstration for each of the events listed below in accordance with the Data Exclusion Procedures of condition 22:

- a. Startup: Up to 30 minutes of CEMS data may be excluded for each combustion turbine startup. For startups of less than 30 minutes in duration, only those minutes attributable to startup may be excluded.
- b. Shutdown: Up to 30 minutes of CEMS data may be excluded for each combustion turbine shutdown. For shutdowns of less than 30 minutes in duration, only those minutes attributable to shutdown may be excluded.
- c. Malfunction: Up to two hours (in any operating day) of CEMS data may be excluded due to a documented malfunction. A “documented malfunction” means a malfunction that is documented within one working day of detection by contacting the Compliance Authority by telephone, facsimile transmittal, or electronic email.
- d. DLN Tuning: CEMS data collected during initial or other DLN tuning sessions may be excluded from the compliance demonstrations provided the tuning session is performed in accordance with the manufacturer’s specifications or determined best practices. Prior to performing any tuning session, the permittee shall provide the Compliance Authority with an advance notice of at least one (1) day that details the activity and proposed tuning schedule. The notice may be by telephone, facsimile transmittal, or electronic mail. [Design and Rule 62-4.070(3), F.A.C.]
- e. Fuel Switching: Up to 60 minutes of CEMS data may be excluded for each fuel switch. For fuel switches of less than 60 minutes in duration, only those minutes attributable to fuel switching may be excluded.

All valid emissions data (including data collected during startup, shutdown, malfunction, DLN tuning, and fuel switching) shall be used to report emissions for the Annual Operating Report. [Rules 62-210.200(BACT), 62-210.370, and 62-210.700, F.A.C.]

**C.21. Notification Requirements:** The owner or operator shall notify the Compliance Authority within one working day of discovering any emissions that demonstrate non-compliance for a given averaging period. [Rule 62-4.070, F.A.C.]

#### **CONTINUOUS MONITORING REQUIREMENTS**

**C.22. CEM Systems:** Subject to the following, the permittee shall install, calibrate, operate, and maintain a continuous emission monitoring system (CEMS) to measure and record the emissions of NO<sub>x</sub> from the combustion turbine in terms of the applicable standards. The monitoring system shall be installed, and functioning within the required performance specifications by the time of the initial compliance demonstration.

- a. NO<sub>x</sub> Monitor: Each NO<sub>x</sub> monitor shall be certified pursuant to the specifications of 40 CFR 75. Quality

assurance procedures shall conform to the requirements of 40 CFR 75. The annual and required RATA tests required for the NO<sub>x</sub> monitor shall be performed using EPA Method 20 or 7E in Appendix A of 40 CFR 60.

- b. Diluent Monitor: The oxygen (O<sub>2</sub>) or carbon dioxide (CO<sub>2</sub>) content of the flue gas shall be monitored at the location where NO<sub>x</sub> is monitored to correct the measured emissions rates to 15% oxygen. If a CO<sub>2</sub> monitor is installed, the oxygen content of the flue gas shall be calculated using F-factors that are appropriate for the fuel fired. Each monitor shall comply with the performance and quality assurance requirements of 40 CFR 75.

[Rules 62-4.070(3), 62-210.200(BACT), F.A.C. and 40 CFR 60, Subpart 75]

- C.23. Moisture Correction: If necessary, the owner or operator shall determine the moisture content of the exhaust gas and develop an algorithm to enable correction of the monitoring results to a dry basis (0% moisture). [Rules 62-4.070(3) and 62-210.200(BACT), F.A.C]

C.24. CEMS Data Requirements for BACT Standards:

*{Permitting Note: The following conditions apply only to the SIP-based NO<sub>x</sub> emissions standards specified in Condition Nos. C.9 and C.10 of this section. These requirements cannot vary or supersede any federal provision of the NSPS or Acid Rain programs. Additional reporting and monitoring may be required by the individual subparts.}*

- a. Data Collection: Except for continuous monitoring system breakdowns, repairs, calibration checks, and zero and span adjustments, emissions shall be monitored and recorded during all operation including startup, shutdown, and malfunction.
- b. Operating Hours and Operating Days: An hour is the 60-minute period beginning at the top of each hour. Any hour during which an emissions unit is in operation for more than 15 minutes is an operating hour for that emission unit. A day is the 24-hour period from midnight to midnight. Any day with at least one operating hour for an emissions unit is an operating day for that emission unit.
- c. Valid Hour: Each CEMS shall be designed and operated to sample, analyze, and record data evenly spaced over the hour at a minimum of one measurement per minute. All valid measurements collected during an hour shall be used to calculate a 1-hour block average that begins at the top of each hour.
- 1) Hours that are not operating hours are not valid hours.
  - 2) For each operating hour, the 1-hour block average shall be computed from at least two data points separated by a minimum of 15 minutes. If less than two such data points are available, there is insufficient data and the 1-hour block average is not valid.
  - 3) During fuel switching an hour in which fuel oil is fired is attributed towards compliance with the permit standards for oil firing.
- d. Rolling 24-Hour Average: Compliance shall be determined after each valid hourly average is obtained by calculating the arithmetic average of that valid hourly average and the preceding 23 valid hourly averages.
- e. Data Exclusion: Each CEMS shall monitor and record emissions during all operations including episodes of startup, shutdown, malfunction, DLN tuning, and fuel switches. Some of the CEMS emissions data recorded during these episodes may be excluded from the corresponding CEMS compliance demonstration subject to the provisions of conditions 19 and 20 of this subsection.
- f. Availability: The quarterly excess emissions report shall identify monitor availability for each quarter in which the unit operated. Monitor availability for the CEMS shall be 95% or greater in any calendar quarter in which the unit operated for more than 760 hours. In the event the applicable availability is not achieved, the permittee shall provide the Department with a report identifying the problems in achieving the required availability and a plan of corrective actions that will be taken to achieve 95% availability.

The permittee shall implement the reported corrective actions within the next calendar quarter. Failure to take corrective actions or continued failure to achieve the minimum monitor availability shall be violations of this permit, except as otherwise authorized by the Department's Compliance Authority.

[Rules 62-4.070(3) and 62-210.200(BACT), F.A.C.]

### **CEMS REQUIREMENTS FOR ANNUAL EMISSIONS**

**C.25.** CEMS Annual Emissions Requirement: The owner or operator shall use data from the NO<sub>x</sub> CEMS when calculating annual emissions for purposes of computing actual emissions, baseline actual emissions, and net emissions increase, as defined at Rule 62-210.200, F.A.C., and for purposes of computing emissions pursuant to the reporting requirements of Rule 62-210.370(3), F.A.C. In computing the emissions of a pollutant, the owner or operator shall account for the emissions during periods of startup and shutdown of the emissions unit. [Rules 62-210.200 and 62-210.370(3), F.A.C.]

### **REPORTING AND RECORD KEEPING REQUIREMENTS**

**C.26.** Monitoring of Capacity: The permittee shall monitor and record the operating rate of the combustion turbine on a daily average basis, considering the number of hours of operation during each day (including the times of startup, shutdown, malfunction, DLN tuning and fuel switching). Such monitoring shall be made by monitoring daily rates of consumption and heat content of each allowable fuel in accordance with the provisions of 40 CFR 75 Appendix D. [Rules 62-4.070(3) and 62-210.200(BACT), F.A.C.]

**C.27.** Monthly Operations Summary: By the 15th calendar day of each month, the permittee shall record the following for each fuel in a written or electronic log for the combustion turbine for the previous month of operation: fuel consumption, hours of operation on each fuel and the updated calendar year totals for each. Information recorded and stored as an electronic file shall be available for inspection and printing within at least three days of a request by the Department. The fuel consumption shall be monitored in accordance with the provisions of 40 CFR 75 Appendix D. [Rules 62-4.070(3) and 62-210.200(BACT), F.A.C.]

**C.28.** Fuel Sulfur Records: The permittee shall demonstrate compliance with the fuel sulfur limits specified in this permit by maintaining the following records of the sulfur contents.

- a. Natural Gas Sulfur Limit: Compliance with the fuel sulfur limit for natural gas shall be demonstrated by keeping reports obtained from the vendor indicating the average sulfur content of the natural gas being supplied from the pipeline for each month of operation. Methods for determining the sulfur content of the natural gas shall be ASTM methods D4084-82, D4468-85, D5504-01, D6228-98, D6667-01 and D3246-81 or more recent versions.
- b. Distillate Fuel Oil Sulfur Limit: Compliance with the distillate fuel oil sulfur limit shall be demonstrated by taking a sample, analyzing the sample for fuel sulfur, and reporting the results to each Compliance Authority before initial startup. Sampling the fuel oil sulfur content shall be conducted in accordance with ASTM D4057-88, Standard Practice for Manual Sampling of Petroleum and Petroleum Products, and one of the following test methods for sulfur in petroleum products: ASTM methods D5453-00, D129-91, D1552-90, D2622-94 or D4294-90. More recent versions of these methods may be used. For each subsequent fuel delivery, the permittee shall maintain a permanent file of the certified fuel sulfur analysis from the fuel vendor. At the request of the Compliance Authority, the permittee shall perform additional sampling and analysis for the fuel sulfur content.

The above methods shall be used to determine the fuel sulfur content in conjunction with the provisions of 40 CFR 75 Appendix D. [Rules 62-4.070(3) and 62-4.160(15), F.A.C.]

**C.29.** Emissions Performance Test Reports: A report indicating the results of any required emissions performance test shall be submitted to the Compliance Authority no later than 45 days after completion of the last test run. The test report shall provide sufficient detail on the tested emission unit and the procedures used to allow the Department to determine if the test was properly conducted and if the test

results were properly computed. At a minimum, the test report shall provide the applicable information listed in Rule 62-297.310(8)(c), F.A.C. and in Appendix SC of this permit. [Rule 62-297.310(8), F.A.C.]

**C.30. Excess Emissions Reporting:**

- a. Malfunction Notification: If emissions in excess of a standard (subject to the specified averaging period) occur due to malfunction, the permittee shall notify the Compliance Authority within (1) working day of: the nature, extent, and duration of the excess emissions; the cause of the excess emissions; and the actions taken to correct the problem. In addition, the Department may request a written summary report of the incident.
- b. SIP Quarterly Report: Within 30 days following the end of each calendar quarter, the permittee shall submit a report to the Compliance Authority summarizing periods of NO<sub>x</sub> emissions in excess of the BACT permit standard following the NSPS format in 40 CFR 60.7(c), Subpart A. A summary of data excluded from SIP compliance calculations should also be provided. In addition, the report shall summarize the NO<sub>x</sub> CEMS system monitor availability for the previous quarter.
- c. NSPS Reporting: Within 30 days following the calendar quarter, the permittee shall submit the written reports required by 40 CFR 60 Subpart KKKK (Standards of Performance for Stationary Combustion Turbines) for the previous semi-annual period to the Compliance Authority.

*{Note: If there are no periods of excess emissions as defined in 40 CFR, Part 60, Subpart KKKK, a statement to that effect may be submitted with the SIP Quarterly Report to suffice for the NSPS Semi-Annual Report.}*

[Rules 62-4.130, 62-204.800, 62-210.700(6) and 62-212.400(BACT), F.A.C.; and 40 CFR 60.7 and 60.4375]

- C.31. Annual Operating Report:** The permittee shall submit an annual report that summarizes the actual operating hours and emissions from this facility in accordance with 62-210.370. Annual operating reports shall be submitted to the Compliance Authority by March 1st of each year. [Rule 62-210.370(2), F.A.C.]

**Section IV. Acid Rain Part, Phase II.**

**Oleander Power Project**

Operated by: Oleander Power Project, L.P.

ORIS code: 55286

The emissions units listed below are regulated under Phase II of the Federal Acid Rain Program.

<b>E.U. ID No.</b>	<b>Description</b>
001	Simple-Cycle Combustion Turbine-Electrical Generator (nominal 190 megawatt)
002	Simple-Cycle Combustion Turbine-Electrical Generator (nominal 190 megawatt)
003	Simple-Cycle Combustion Turbine-Electrical Generator (nominal 190 megawatt)
004	Simple-Cycle Combustion Turbine-Electrical Generator (nominal 190 megawatt)
<u>005</u>	<u>Simple-Cycle Combustion Turbine-Electrical Generator (nominal 190 megawatt)</u>

1. The Acid Rain Phase II Part application submitted for this facility, as approved by the Department, is a part of this permit. The owners and operators of these acid rain units must comply with the standard requirements and special provisions set forth in the application listed below:
  - a. DEP Form No.62-210.900(1)(a), version 07/01/95, signed by the Designated Representative on May 4, 2000.
  - b. DEP Form No.62-210.900(1)(a), version 06/16/03, signed by the Designated Representative on September 16, 2007.

[Chapter 62-213, F.A.C. and Rule 62-214.320, F.A.C.]

Sulfur dioxide (SO<sub>2</sub>) allowance allocations for each Acid Rain unit are:

<b>E.U. ID No.</b>	<b>EPA ID #</b>	<b>Year</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
001	<b>0-1</b>	SO <sub>2</sub> allowances to be determined by U.S. EPA.	0	0	0	0	0
002	<b>0-2</b>	SO <sub>2</sub> allowances to be determined by U.S. EPA.	0	0	0	0	0
003	<b>0-3</b>	SO <sub>2</sub> allowances to be determined by U.S. EPA.	0	0	0	0	0
004	<b>0-4</b>	SO <sub>2</sub> allowances to be determined by U.S. EPA.	0	0	0	0	0



**DRAFT/PROPOSED TITLE V PERMIT REVISION**

---

<b>E.U. ID No.</b>	<b>EPA ID #</b>	<b>Year</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<u>005</u>	<u>0-5</u>	<u>SO<sub>2</sub> allowances to be determined by U.S. EPA.</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>0</u>	<u>0</u>

2. **Emission Allowances.** Emissions from sources subject to the Federal Acid Rain Program (Title IV) shall not exceed any allowances that the source lawfully holds under the Federal Acid Rain Program. Allowances shall not be used to demonstrate compliance with a non-Title IV applicable requirement of the Act.

a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the Federal Acid Rain Program, provided that such increases do not require a permit revision pursuant to Rule 62-213.400(3), F.A.C.

b. No limit shall be placed on the number of allowances held by the source under the Federal Acid Rain Program.

c. Allowances shall be accounted for under the Federal Acid Rain Program.

[Rule 62-213.440(1)(c)1., 2. & 3., F.A.C.]

3. Where an applicable requirement of the Act is more stringent than applicable regulations promulgated under Title IV of the Act, both provisions shall be incorporated into the permit and shall be enforceable by the Administrator.

[40 CFR 70.6(a)(1)(ii); and, Rule 62-210.200, F.A.C., Definitions – Applicable Requirements]

## SECTION V. APPENDICES

---

### CONTENTS

Appendix A	NSPS Subpart A, Identification of General Provisions
Appendix B	General Conditions
Appendix C	NSPS Subpart KKKK Requirements for Stationary Combustion Turbines
Appendix D	Standard Conditions
Appendix E	Permit History
Appendix F	Summary Tables
Appendix G	Insignificant Emission Units
Appendix H	Acid Rain Part Application

## SECTION V. APPENDIX A

### NSPS SUBPART A, IDENTIFICATION OF GENERAL PROVISIONS

---

Emissions units subject to a New Source Performance Standard of 40 CFR 60 are also subject to the applicable requirements of Subpart A, the General Provisions, including:

- § 60.1 Applicability.
- § 60.2 Definitions.
- § 60.3 Units and abbreviations.
- § 60.4 Address.
- § 60.5 Determination of construction or modification.
- § 60.6 Review of plans.
- § 60.7 Notification and Record Keeping.
- § 60.8 Performance Tests.
- § 60.9 Availability of information.
- § 60.10 State Authority.
- § 60.11 Compliance with Standards and Maintenance Requirements.
- § 60.12 Circumvention.
- § 60.13 Monitoring Requirements.
- § 60.14 Modification.
- § 60.15 Reconstruction.
- § 60.16 Priority List.
- § 60.17 Incorporations by Reference.
- § 60.18 General Control Device Requirements.
- § 60.19 General Notification and Reporting Requirements.

Individual subparts may exempt specific equipment or processes from some or all of these requirements. The general provisions may be provided in full upon request.

**SECTION V. APPENDIX B**  
**GENERAL CONDITIONS**

The permittee shall comply with the following general conditions from Rule 62-4.160, F.A.C.

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey and vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:
  - a. Have access to and copy and records that must be kept under the conditions of the permit;
  - b. Inspect the facility, equipment, practices, or operations regulated or required under this permit, and,
  - c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
  - a. A description of and cause of non-compliance; and
  - b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, Florida

## SECTION V. APPENDIX B

### GENERAL CONDITIONS

Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.
11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. This permit also constitutes:
  - a. Determination of Best Available Control Technology (X);
  - b. Determination of Prevention of Significant Deterioration (X);
  - c. Compliance with National Emission Standards for Hazardous Air Pollutants (Not Applicable); and
  - d. Compliance with New Source Performance Standards (X).
14. The permittee shall comply with the following:
  - a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
  - b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application or this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
  - c. Records of monitoring information shall include:
    - 1) The date, exact place, and time of sampling or measurements;
    - 2) The person responsible for performing the sampling or measurements;
    - 3) The dates analyses were performed;
    - 4) The person responsible for performing the analyses;
    - 5) The analytical techniques or methods used; and
    - 6) The results of such analyses.
15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

## SECTION V. APPENDIX C

### NSPS SUBPART KKKK REQUIREMENTS FOR STATIONARY COMBUSTION TURBINES

This subpart establishes emission standards and compliance schedules for the control of emissions from stationary combustion turbines that commenced construction, modification or reconstruction after February 18, 2005.

#### Applicability

##### § 60.4305 Does this subpart apply to my stationary combustion turbine?

(a) If you are the owner or operator of a stationary combustion turbine with a heat input at peak load equal to or greater than 10.7 gigajoules (10 MMBtu) per hour, based on the higher heating value of the fuel, which commenced construction, modification, or reconstruction after February 18, 2005, your turbine is subject to this subpart. Only heat input to the combustion turbine should be included when determining whether or not this subpart is applicable to your turbine. Any additional heat input to associated heat recovery steam generators (HRSG) or duct burners should not be included when determining your peak heat input. However, this subpart does apply to emissions from any associated HRSG and duct burners.

(b) Stationary combustion turbines regulated under this subpart are exempt from the requirements of subpart GG of this part. Heat recovery steam generators and duct burners regulated under this subpart are exempted from the requirements of subparts Da, Db, and Dc of this part.

##### § 60.4310 What types of operations are exempt from these standards of performance?

- (a) Emergency combustion turbines, as defined in §60.4420(i), are exempt from the nitrogen oxides (NOX) emission limits in §60.4320.
- (b) Stationary combustion turbines engaged by manufacturers in research and development of equipment for both combustion turbine emission control techniques and combustion turbine efficiency improvements are exempt from the NOX emission limits in §60.4320 on a case-by-case basis as determined by the Administrator.
- (c) Stationary combustion turbines at integrated gasification combined cycle electric utility steam generating units that are subject to subpart Da of this part are exempt from this subpart.
- (d) Combustion turbine test cells/stands are exempt from this subpart.

#### Emission Limits

##### § 60.4315 What pollutants are regulated by this subpart?

The pollutants regulated by this subpart are nitrogen oxide (NOX) and sulfur dioxide (SO<sub>2</sub>).

##### § 60.4320 What emission limits must I meet for nitrogen oxides (NOX)?

- (a) You must meet the emission limits for NOX specified in Table 1 to this subpart.
- (b) If you have two or more turbines that are connected to a single generator, each turbine must meet the emission limits for NOX.

##### § 60.4325 What emission limits must I meet for NOX if my turbine burns both natural gas and distillate oil (or some other combination of fuels)?

You must meet the emission limits specified in Table 1 to this subpart. If your total heat input is greater than or equal to 50 percent natural gas, you must meet the corresponding limit for a natural gas-fired turbine when you are burning that fuel. Similarly, when your total heat input is greater than 50 percent distillate oil and fuels other than natural gas, you must meet the corresponding limit for distillate oil and fuels other than natural gas for the duration of the time that you burn that particular fuel.

##### § 60.4330 What emission limits must I meet for sulfur dioxide (SO<sub>2</sub>)?

(a) If your turbine is located in a continental area, you must comply with either paragraph (a)(1) or (a)(2) of this section. If your turbine is located in Alaska, you do not have to comply with the requirements in paragraph (a) of this section until January 1, 2008.

(1) You must not cause to be discharged into the atmosphere from the subject stationary combustion turbine any gases which contain SO<sub>2</sub> in excess of 110 nanograms per Joule (ng/J) (0.90 pounds per megawatt-hour (lb/MWh)) gross output, or

(2) You must not burn in the subject stationary combustion turbine any fuel which contains total potential sulfur emissions in excess of 26 ng SO<sub>2</sub>/J (0.060 lb SO<sub>2</sub>/MMBtu) heat input. If your turbine simultaneously fires multiple fuels, each fuel must meet this requirement.

(b) If your turbine is located in a noncontinental area or a continental area that the Administrator determines does not have access to natural gas and that the removal of sulfur compounds would cause more environmental harm than benefit, you must comply with one or the other of the following conditions:

(1) You must not cause to be discharged into the atmosphere from the subject stationary combustion turbine any gases which contain SO<sub>2</sub> in excess of 780 ng/J (6.2 lb/MWh) gross output, or

## SECTION V. APPENDIX C

### NSPS SUBPART KKKK REQUIREMENTS FOR STATIONARY COMBUSTION TURBINES

(2) You must not burn in the subject stationary combustion turbine any fuel which contains total sulfur with potential sulfur emissions in excess of 180 ng SO<sub>2</sub>/J (0.42 lb SO<sub>2</sub>/MMBtu) heat input. If your turbine simultaneously fires multiple fuels, each fuel must meet this requirement.

#### General Compliance Requirements

##### § 60.4333 What are my general requirements for complying with this subpart?

(a) You must operate and maintain your stationary combustion turbine, air pollution control equipment, and monitoring equipment in a manner consistent with good air pollution control practices for minimizing emissions at all times including during startup, shutdown, and malfunction.

(b) When an affected unit with heat recovery utilizes a common steam header with one or more combustion turbines, the owner or operator shall either:

(1) Determine compliance with the applicable NOX emissions limits by measuring the emissions combined with the emissions from the other unit(s) utilizing the common heat recovery unit; or

(2) Develop, demonstrate, and provide information satisfactory to the Administrator on methods for apportioning the combined gross energy output from the heat recovery unit for each of the affected combustion turbines. The Administrator may approve such demonstrated substitute methods for apportioning the combined gross energy output measured at the steam turbine whenever the demonstration ensures accurate estimation of emissions related under this part.

#### Monitoring

##### § 60.4335 How do I demonstrate compliance for NOX if I use water or steam injection?

(a) If you are using water or steam injection to control NOX emissions, you must install, calibrate, maintain and operate a continuous monitoring system to monitor and record the fuel consumption and the ratio of water or steam to fuel being fired in the turbine when burning a fuel that requires water or steam injection for compliance.

(b) Alternatively, you may use continuous emission monitoring, as follows:

(1) Install, certify, maintain, and operate a continuous emission monitoring system (CEMS) consisting of a NOX monitor and a diluent gas (oxygen (O<sub>2</sub>) or carbon dioxide (CO<sub>2</sub>)) monitor, to determine the hourly NOX emission rate in parts per million (ppm) or pounds per million British thermal units (lb/MMBtu); and

(2) For units complying with the output-based standard, install, calibrate, maintain, and operate a fuel flow meter (or flow meters) to continuously measure the heat input to the affected unit; and

(3) For units complying with the output-based standard, install, calibrate, maintain, and operate a watt meter (or meters) to continuously measure the gross electrical output of the unit in megawatt-hours; and

(4) For combined heat and power units complying with the output-based standard, install, calibrate, maintain, and operate meters for useful recovered energy flow rate, temperature, and pressure, to continuously measure the total thermal energy output in British thermal units per hour (Btu/h).

##### § 60.4340 How do I demonstrate continuous compliance for NOX if I do not use water or steam injection?

(a) If you are not using water or steam injection to control NOX emissions, you must perform annual performance tests in accordance with §60.4400 to demonstrate continuous compliance. If the NOX emission result from the performance test is less than or equal to 75 percent of the NOX emission limit for the turbine, you may reduce the frequency of subsequent performance tests to once every 2 years (no more than 26 calendar months following the previous performance test). If the results of any subsequent performance test exceed 75 percent of the NOX emission limit for the turbine, you must resume annual performance tests.

(b) As an alternative, you may install, calibrate, maintain and operate one of the following continuous monitoring systems:

(1) Continuous emission monitoring as described in §§60.4335(b) and 60.4345, or

(2) Continuous parameter monitoring as follows:

(i) For a diffusion flame turbine without add-on selective catalytic reduction (SCR) controls, you must define parameters indicative of the unit's NOX formation characteristics, and you must monitor these parameters continuously.

(ii) For any lean premix stationary combustion turbine, you must continuously monitor the appropriate parameters to determine whether the unit is operating in low-NOX mode.

(iii) For any turbine that uses SCR to reduce NOX emissions, you must continuously monitor appropriate parameters to verify the proper operation of the emission controls.

**SECTION V. APPENDIX C**

**NSPS SUBPART KKKK REQUIREMENTS FOR STATIONARY COMBUSTION TURBINES**

(iv) For affected units that are also regulated under part 75 of this chapter, with state approval you can monitor the NOX emission rate using the methodology in appendix E to part 75 of this chapter, or the low mass emissions methodology in §75.19, the requirements of this paragraph (b) may be met by performing the parametric monitoring described in section 2.3 of part 75 appendix E or in §75.19(c)(1)(iv)(H).

**§ 60.4345 What are the requirements for the continuous emission monitoring system equipment, if I choose to use this option?**

If the option to use a NOX CEMS is chosen:

(a) Each NOX diluent CEMS must be installed and certified according to Performance Specification 2 (PS 2) in appendix B to this part, except the 7-day calibration drift is based on unit operating days, not calendar days. With state approval, Procedure 1 in appendix F to this part is not required. Alternatively, a NOX diluent CEMS that is installed and certified according to appendix A of part 75 of this chapter is acceptable for use under this subpart. The relative accuracy test audit (RATA) of the CEMS shall be performed on a lb/MMBtu basis.

(b) As specified in §60.13(c)(2), during each full unit operating hour, both the NOX monitor and the diluent monitor must complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each 15-minute quadrant of the hour, to validate the hour. For partial unit operating hours, at least one valid data point must be obtained with each monitor for each quadrant of the hour in which the unit operates. For unit operating hours in which required quality assurance and maintenance activities are performed on the CEMS, a minimum of two valid data points (one in each of two quadrants) are required for each monitor to validate the NOX emission rate for the hour.

(c) Each fuel flowmeter shall be installed, calibrated, maintained, and operated according to the manufacturer's instructions. Alternatively, with state approval, fuel flowmeters that meet the installation, certification, and quality assurance requirements of appendix D to part 75 of this chapter are acceptable for use under this subpart.

(d) Each watt meter, steam flow meter, and each pressure or temperature measurement device shall be installed, calibrated, maintained, and operated according to manufacturer's instructions.

(e) The owner or operator shall develop and keep on-site a quality assurance (QA) plan for all of the continuous monitoring equipment described in paragraphs (a), (c), and (d) of this section. For the CEMS and fuel flow meters, the owner or operator may, with state approval, satisfy the requirements of this paragraph by implementing the QA program and plan described in section 1 of appendix B to part 75 of this chapter.

**§ 60.4350 How do I use data from the continuous emission monitoring equipment to identify excess emissions?**

For purposes of identifying excess emissions:

(a) All CEMS data must be reduced to hourly averages as specified in §60.13(h).

(b) For each unit operating hour in which a valid hourly average, as described in §60.4345(b), is obtained for both NOX and diluent monitors, the data acquisition and handling system must calculate and record the hourly NOX emission rate in units of ppm or lb/MMBtu, using the appropriate equation from method 19 in appendix A of this part. For any hour in which the hourly average O2 concentration exceeds 19.0 percent O2 (or the hourly average CO2 concentration is less than 1.0 percent CO2), a diluent cap value of 19.0 percent O2 or 1.0 percent CO2 (as applicable) may be used in the emission calculations.

(c) Correction of measured NOX concentrations to 15 percent O2 is not allowed.

(d) If you have installed and certified a NOX diluent CEMS to meet the requirements of part 75 of this chapter, states can approve that only quality assured data from the CEMS shall be used to identify excess emissions under this subpart. Periods where the missing data substitution procedures in subpart D of part 75 are applied are to be reported as monitor downtime in the excess emissions and monitoring performance report required under §60.7(c).

(e) All required fuel flow rate, steam flow rate, temperature, pressure, and megawatt data must be reduced to hourly averages.

(f) Calculate the hourly average NOX emission rates, in units of the emission standards under §60.4320, using either ppm for units complying with the concentration limit or the following equation for units complying with the output based standard:

(1) For simple-cycle operation:

$$E = \frac{(NO_x)_h * (HI)_h}{P} \quad (\text{Eq. 1})$$

Where:

E = hourly NOX emission rate, in lb/MWh, (NOX)h = hourly NOX emission rate, in lb/MMBtu,



## SECTION V. APPENDIX C

### NSPS SUBPART KKKK REQUIREMENTS FOR STATIONARY COMBUSTION TURBINES

(HI)<sub>h</sub> = hourly heat input rate to the unit, in MMBtu/h, measured using the fuel flowmeter(s), e.g., calculated using Equation D-15a in appendix D to part 75 of this chapter, and

P = gross energy output of the combustion turbine in MW.

(2) For combined-cycle and combined heat and power complying with the output-based standard, use Equation 1 of this subpart, except that the gross energy output is calculated as the sum of the total electrical and mechanical energy generated by the combustion turbine, the additional electrical or mechanical energy (if any) generated by the steam turbine following the heat recovery steam generator, and 100 percent of the total useful thermal energy output that is not used to generate additional electricity or mechanical output, expressed in equivalent MW, as in the following equations:

$$P = (P_e)_i + (P_e)_e + P_s + P_o \quad (\text{Eq. 2})$$

Where:

P = gross energy output of the stationary combustion turbine system in MW.

(P<sub>e</sub>)<sub>i</sub> = electrical or mechanical energy output of the combustion turbine in MW,

(P<sub>e</sub>)<sub>e</sub> = electrical or mechanical energy output (if any) of the steam turbine in MW, and

$$P_s = \frac{Q * H}{3.413 \times 10^6 \text{ Btu/MWh}} \quad (\text{Eq. 3})$$

Where:

P<sub>s</sub> = useful thermal energy of the steam, measured relative to ISO conditions, not used to generate additional electric or mechanical output, in MW,

Q = measured steam flow rate in lb/h,

H = enthalpy of the steam at measured temperature and pressure relative to ISO conditions, in Btu/lb, and 3.413 x 10<sup>6</sup> = conversion from Btu/h to MW.

P<sub>o</sub> = other useful heat recovery, measured relative to ISO conditions, not used for steam generation or performance enhancement of the combustion turbine.

(3) For mechanical drive applications complying with the output-based standard, use the following equation:

$$E = \frac{(\text{NO}_x)_m}{\text{BL} * \text{AL}} \quad (\text{Eq. 4})$$

Where:

E = NO<sub>x</sub> emission rate in lb/MWh,

(NO<sub>x</sub>)<sub>m</sub> = NO<sub>x</sub> emission rate in lb/h,

BL = manufacturer's base load rating of turbine, in MW, and

AL = actual load as a percentage of the base load.

(g) For simple cycle units without heat recovery, use the calculated hourly average emission rates from paragraph (f) of this section to assess excess emissions on a 4-hour rolling average basis, as described in §60.4380(b)(1).

(h) For combined cycle and combined heat and power units with heat recovery, use the calculated hourly average emission rates from paragraph (f) of this section to assess excess emissions on a 30 unit operating day rolling average basis, as described in §60.4380(b)(1).

#### § 60.4355 How do I establish and document a proper parameter monitoring plan?

(a) The steam or water to fuel ratio or other parameters that are continuously monitored as described in §§60.4335 and 60.4340 must be monitored during the performance test required under §60.8, to establish acceptable values and ranges. You may supplement the performance test data with engineering analyses, design specifications, manufacturer's recommendations and other relevant information to define the acceptable parametric ranges more precisely. You must develop and keep onsite a parameter monitoring plan which explains the procedures used to document proper operation of the NO<sub>x</sub> emission controls. The plan must:

(1) Include the indicators to be monitored and show there is a significant relationship to emissions and proper operation of the NO<sub>x</sub> emission controls,

## SECTION V. APPENDIX C

### NSPS SUBPART KKKK REQUIREMENTS FOR STATIONARY COMBUSTION TURBINES

- (2) Pick ranges (or designated conditions) of the indicators, or describe the process by which such range (or designated condition) will be established,
- (3) Explain the process you will use to make certain that you obtain data that are representative of the emissions or parameters being monitored (such as detector location, installation specification if applicable),
- (4) Describe quality assurance and control practices that are adequate to ensure the continuing validity of the data,
- (5) Describe the frequency of monitoring and the data collection procedures which you will use (e.g., you are using a computerized data acquisition over a number of discrete data points with the average (or maximum value) being used for purposes of determining whether an exceedance has occurred), and
- (6) Submit justification for the proposed elements of the monitoring. If a proposed performance specification differs from manufacturer recommendation, you must explain the reasons for the differences. You must submit the data supporting the justification, but you may refer to generally available sources of information used to support the justification. You may rely on engineering assessments and other data, provided you demonstrate factors which assure compliance or explain why performance testing is unnecessary to establish indicator ranges. When establishing indicator ranges, you may choose to simplify the process by treating the parameters as if they were correlated. Using this assumption, testing can be divided into two cases:

- (i) All indicators are significant only on one end of range (e.g., for a thermal incinerator controlling volatile organic compounds (VOC) it is only important to insure a minimum temperature, not a maximum). In this case, you may conduct your study so that each parameter is at the significant limit of its range while you conduct your emissions testing. If the emissions tests show that the source is in compliance at the significant limit of each parameter, then as long as each parameter is within its limit, you are presumed to be in compliance.

- (ii) Some or all indicators are significant on both ends of the range. In this case, you may conduct your study so that each parameter that is significant at both ends of its range assumes its extreme values in all possible combinations of the extreme values (either single or double) of all of the other parameters. For example, if there were only two parameters, A and B, and A had a range of values while B had only a minimum value, the combinations would be A high with B minimum and A low with B minimum. If both A and B had a range, the combinations would be A high and B high, A low and B low, A high and B low, A low and B high. For the case of four parameters all having a range, there are 16 possible combinations.

(b) For affected units that are also subject to part 75 of this chapter and that have state approval to use the low mass emissions methodology in §75.19 or the NOX emission measurement methodology in appendix E to part 75, you may meet the requirements of this paragraph by developing and keeping onsite (or at a central location for unmanned facilities) a QA plan, as described in §75.19(e)(5) or in section 2.3 of appendix E to part 75 of this chapter and section 1.3.6 of appendix B to part 75 of this chapter.

#### § 60.4360 How do I determine the total sulfur content of the turbine's combustion fuel?

You must monitor the total sulfur content of the fuel being fired in the turbine, except as provided in §60.4365. The sulfur content of the fuel must be determined using total sulfur methods described in §60.4415. Alternatively, if the total sulfur content of the gaseous fuel during the most recent performance test was less than half the applicable limit, ASTM D4084, D4810, D5504, or D6228, or Gas Processors Association Standard 2377 (all of which are incorporated by reference, see §60.17), which measure the major sulfur compounds, may be used.

#### § 60.4365 How can I be exempted from monitoring the total sulfur content of the fuel?

You may elect not to monitor the total sulfur content of the fuel combusted in the turbine, if the fuel is demonstrated not to exceed potential sulfur emissions of 26 ng SO<sub>2</sub>/J (0.060 lb SO<sub>2</sub>/MMBtu) heat input for units located in continental areas and 180 ng SO<sub>2</sub>/J (0.42 lb SO<sub>2</sub>/MMBtu) heat input for units located in noncontinental areas or a continental area that the Administrator determines does not have access to natural gas and that the removal of sulfur compounds would cause more environmental harm than benefit. You must use one of the following sources of information to make the required demonstration:

- (a) The fuel quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the fuel, specifying that the maximum total sulfur content for oil use in continental areas is 0.05 weight percent (500 ppmw) or less and 0.4 weight percent (4,000 ppmw) or less for noncontinental areas, the total sulfur content for natural gas use in continental areas is 20 grains of sulfur or less per 100 standard cubic feet and 140 grains of sulfur or less per 100 standard cubic feet for noncontinental areas, has potential sulfur emissions of less than less than 26 ng SO<sub>2</sub>/J (0.060 lb SO<sub>2</sub>/MMBtu) heat input for continental areas and has potential sulfur emissions of less than less than 180 ng SO<sub>2</sub>/J (0.42 lb SO<sub>2</sub>/MMBtu) heat input for noncontinental areas; or
- (b) Representative fuel sampling data which show that the sulfur content of the fuel does not exceed 26 ng SO<sub>2</sub>/J (0.060 lb SO<sub>2</sub>/MMBtu) heat input for continental areas or 180 ng SO<sub>2</sub>/J (0.42 lb SO<sub>2</sub>/MMBtu) heat input for noncontinental areas. At a minimum, the amount of fuel sampling data specified in section 2.3.1.4 or 2.3.2.4 of appendix D to part 75 of this chapter is required.

## SECTION V. APPENDIX C

### NSPS SUBPART KKKK REQUIREMENTS FOR STATIONARY COMBUSTION TURBINES

#### § 60.4370 How often must I determine the sulfur content of the fuel?

The frequency of determining the sulfur content of the fuel must be as follows:

(a) *Fuel oil.* For fuel oil, use one of the total sulfur sampling options and the associated sampling frequency described in sections 2.2.3, 2.2.4.1, 2.2.4.2, and 2.2.4.3 of appendix D to part 75 of this chapter (*i.e.*, flow proportional sampling, daily sampling, sampling from the unit's storage tank after each addition of fuel to the tank, or sampling each delivery prior to combining it with fuel oil already in the intended storage tank).

(b) *Gaseous fuel.* If you elect not to demonstrate sulfur content using options in §60.4365, and the fuel is supplied without intermediate bulk storage, the sulfur content value of the gaseous fuel must be determined and recorded once per unit operating day.

(c) *Custom schedules.* Notwithstanding the requirements of paragraph (b) of this section, operators or fuel vendors may develop custom schedules for determination of the total sulfur content of gaseous fuels, based on the design and operation of the affected facility and the characteristics of the fuel supply. Except as provided in paragraphs (c)(1) and (c)(2) of this section, custom schedules shall be substantiated with data and shall be approved by the Administrator before they can be used to comply with the standard in §60.4330.

(1) The two custom sulfur monitoring schedules set forth in paragraphs (c)(1)(i) through (iv) and in paragraph (c)(2) of this section are acceptable, without prior Administrative approval:

(i) The owner or operator shall obtain daily total sulfur content measurements for 30 consecutive unit operating days, using the applicable methods specified in this subpart. Based on the results of the 30 daily samples, the required frequency for subsequent monitoring of the fuel's total sulfur content shall be as specified in paragraph (c)(1)(ii), (iii), or (iv) of this section, as applicable.

(ii) If none of the 30 daily measurements of the fuel's total sulfur content exceeds half the applicable standard, subsequent sulfur content monitoring may be performed at 12-month intervals. If any of the samples taken at 12-month intervals has a total sulfur content greater than half but less than the applicable limit, follow the procedures in paragraph (c)(1)(iii) of this section. If any measurement exceeds the applicable limit, follow the procedures in paragraph (c)(1)(iv) of this section.

(iii) If at least one of the 30 daily measurements of the fuel's total sulfur content is greater than half but less than the applicable limit, but none exceeds the applicable limit, then:

(A) Collect and analyze a sample every 30 days for 3 months. If any sulfur content measurement exceeds the applicable limit, follow the procedures in paragraph (c)(1)(iv) of this section. Otherwise, follow the procedures in paragraph (c)(1)(iii)(B) of this section.

(B) Begin monitoring at 6-month intervals for 12 months. If any sulfur content measurement exceeds the applicable limit, follow the procedures in paragraph (c)(1)(iv) of this section. Otherwise, follow the procedures in paragraph (c)(1)(iii)(C) of this section.

(C) Begin monitoring at 12-month intervals. If any sulfur content measurement exceeds the applicable limit, follow the procedures in paragraph (c)(1)(iv) of this section. Otherwise, continue to monitor at this frequency.

(iv) If a sulfur content measurement exceeds the applicable limit, immediately begin daily monitoring according to paragraph (c)(1)(i) of this section. Daily monitoring shall continue until 30 consecutive daily samples, each having a sulfur content no greater than the applicable limit, are obtained. At that point, the applicable procedures of paragraph (c)(1)(ii) or (iii) of this section shall be followed.

(2) The owner or operator may use the data collected from the 720-hour sulfur sampling demonstration described in section 2.3.6 of appendix D to part 75 of this chapter to determine a custom sulfur sampling schedule, as follows:

(i) If the maximum fuel sulfur content obtained from the 720 hourly samples does not exceed 20 grains/100 scf, no additional monitoring of the sulfur content of the gas is required, for the purposes of this subpart.

(ii) If the maximum fuel sulfur content obtained from any of the 720 hourly samples exceeds 20 grains/100 scf, but none of the sulfur content values (when converted to weight percent sulfur) exceeds half the applicable limit, then the minimum required sampling frequency shall be one sample at 12 month intervals.

(iii) If any sample result exceeds half the applicable limit, but none exceeds the applicable limit, follow the provisions of paragraph (c)(1)(iii) of this section.

(iv) If the sulfur content of any of the 720 hourly samples exceeds the applicable limit, follow the provisions of paragraph (c)(1)(iv) of this section.

## SECTION V. APPENDIX C

### NSPS SUBPART KKKK REQUIREMENTS FOR STATIONARY COMBUSTION TURBINES

#### Reporting

##### § 60.4375 What reports must I submit?

- (a) For each affected unit required to continuously monitor parameters or emissions, or to periodically determine the fuel sulfur content under this subpart, you must submit reports of excess emissions and monitor downtime, in accordance with §60.7(c). Excess emissions must be reported for all periods of unit operation, including start-up, shutdown, and malfunction.
- (b) For each affected unit that performs annual performance tests in accordance with §60.4340(a), you must submit a written report of the results of each performance test before the close of business on the 60th day following the completion of the performance test.

##### § 60.4380 How are excess emissions and monitor downtime defined for NOX?

For the purpose of reports required under §60.7(c), periods of excess emissions and monitor downtime that must be reported are defined as follows:

- (a) For turbines using water or steam to fuel ratio monitoring:

- (1) An excess emission is any unit operating hour for which the 4-hour rolling average steam or water to fuel ratio, as measured by the continuous monitoring system, falls below the acceptable steam or water to fuel ratio needed to demonstrate compliance with §60.4320, as established during the performance test required in §60.8. Any unit operating hour in which no water or steam is injected into the turbine when a fuel is being burned that requires water or steam injection for NOX control will also be considered an excess emission.
- (2) A period of monitor downtime is any unit operating hour in which water or steam is injected into the turbine, but the essential parametric data needed to determine the steam or water to fuel ratio are unavailable or invalid.
- (3) Each report must include the average steam or water to fuel ratio, average fuel consumption, and the combustion turbine load during each excess emission.

- (b) For turbines using continuous emission monitoring, as described in §§60.4335(b) and 60.4345:

- (1) An excess emissions is any unit operating period in which the 4-hour or 30-day rolling average NOX emission rate exceeds the applicable emission limit in §60.4320. For the purposes of this subpart, a "4- hour rolling average NOX emission rate" is the arithmetic average of the average NOX emission rate in ppm or ng/J (lb/MWh) measured by the continuous emission monitoring equipment for a given hour and the three unit operating hour average NOX emission rates immediately preceding that unit operating hour. Calculate the rolling average if a valid NOX emission rate is obtained for at least 3 of the 4 hours. For the purposes of this subpart, a "30-day rolling average NOX emission rate" is the arithmetic average of all hourly NOX emission data in ppm or ng/J (lb/MWh) measured by the continuous emission monitoring equipment for a given day and the twenty-nine unit operating days immediately preceding that unit operating day. A new 30-day average is calculated each unit operating day as the average of all hourly NOX emissions rates for the preceding 30 unit operating days if a valid NOX emission rate is obtained for at least 75 percent of all operating hours.
- (2) A period of monitor downtime is any unit operating hour in which the data for any of the following parameters are either missing or invalid: NOX concentration, CO2 or O2 concentration, fuel flow rate, steam flow rate, steam temperature, steam pressure, or megawatts. The steam flow rate, steam temperature, and steam pressure are only required if you will use this information for compliance purposes.
- (3) For operating periods during which multiple emissions standards apply, the applicable standard is the average of the applicable standards during each hour. For hours with multiple emissions standards, the applicable limit for that hour is determined based on the condition that corresponded to the highest emissions standard.

- (c) For turbines required to monitor combustion parameters or parameters that document proper operation of the NOX emission controls:

- (1) An excess emission is a 4-hour rolling unit operating hour average in which any monitored parameter does not achieve the target value or is outside the acceptable range defined in the parameter monitoring plan for the unit.
- (2) A period of monitor downtime is a unit operating hour in which any of the required parametric data are either not recorded or are invalid.

##### § 60.4385 How are excess emissions and monitoring downtime defined for SO2?

If you choose the option to monitor the sulfur content of the fuel, excess emissions and monitoring downtime are defined as follows:

- (a) For samples of gaseous fuel and for oil samples obtained using daily sampling, flow proportional sampling, or sampling from the unit's storage tank, an excess emission occurs each unit operating hour included in the period beginning on the date and hour of any sample for which the sulfur content of the fuel being fired in the combustion turbine exceeds the applicable limit and ending on the date and hour that a subsequent sample is taken that demonstrates compliance with the sulfur limit.

## SECTION V. APPENDIX C

### NSPS SUBPART KKKK REQUIREMENTS FOR STATIONARY COMBUSTION TURBINES

(b) If the option to sample each delivery of fuel oil has been selected, you must immediately switch to one of the other oil sampling options (i.e., daily sampling, flow proportional sampling, or sampling from the unit's storage tank) if the sulfur content of a delivery exceeds 0.05 weight percent. You must continue to use one of the other sampling options until all of the oil from the delivery has been combusted, and you must evaluate excess emissions according to paragraph (a) of this section. When all of the fuel from the delivery has been burned, you may resume using the as-delivered sampling option.

(c) A period of monitor downtime begins when a required sample is not taken by its due date. A period of monitor downtime also begins on the date and hour of a required sample, if invalid results are obtained. The period of monitor downtime ends on the date and hour of the next valid sample.

#### § 60.4390 What are my reporting requirements if I operate an emergency combustion turbine or a research and development turbine?

(a) If you operate an emergency combustion turbine, you are exempt from the NOX limit and must submit an initial report to the Administrator stating your case.

(b) Combustion turbines engaged by manufacturers in research and development of equipment for both combustion turbine emission control techniques and combustion turbine efficiency improvements may be exempted from the NOX limit on a case-by-case basis as determined by the Administrator. You must petition for the exemption.

#### § 60.4395 When must I submit my reports?

All reports required under §60.7(c) must be postmarked by the 30th day following the end of each 6-month period.

#### Performance Tests

#### § 60.4400 How do I conduct the initial and subsequent performance tests, regarding NOX?

(a) You must conduct an initial performance test, as required in §60.8. Subsequent NOX performance tests shall be conducted on an annual basis (no more than 14 calendar months following the previous performance test).

(1) There are two general methodologies that you may use to conduct the performance tests. For each test run:

(i) Measure the NOX concentration (in parts per million (ppm)), using EPA Method 7E or EPA Method 20 in appendix A of this part. For units complying with the output based standard, concurrently measure the stack gas flow rate, using EPA Methods 1 and 2 in appendix A of this part, and measure and record the electrical and thermal output from the unit. Then, use the following equation to calculate the NOX emission rate:

$$E = \frac{1.194 \times 10^{-7} * (\text{NO}_x)_c * Q_{std}}{P} \quad (\text{Eq. 5})$$

Where:

E = NOX emission rate, in lb/MWh

$1.194 \times 10^{-7}$  = conversion constant, in lb/dscf-ppm

(NOX)<sub>c</sub> = average NOX concentration for the run, in ppm

Qstd = stack gas volumetric flow rate, in dscf/hr

P = gross electrical and mechanical energy output of the combustion turbine, in MW (for simple-cycle operation), for combined-cycle operation, the sum of all electrical and mechanical output from the combustion and steam turbines, or, for combined heat and power operation, the sum of all electrical and mechanical output from the combustion and steam turbines plus all useful recovered thermal output not used for additional electric or mechanical generation, in MW, calculated according to §60.4350(f)(2); or

(ii) Measure the NOX and diluent gas concentrations, using either EPA Methods 7E and 3A, or EPA Method 20 in appendix A of this part. Concurrently measure the heat input to the unit, using a fuel flowmeter (or flowmeters), and measure the electrical and thermal output of the unit. Use EPA Method 19 in appendix A of this part to calculate the NOX emission rate in lb/MMBtu. Then, use Equations 1 and, if necessary, 2 and 3 in §60.4350(f) to calculate the NOX emission rate in lb/MWh.

(2) Sampling traverse points for NOX and (if applicable) diluent gas are to be selected following EPA Method 20 or EPA Method 1 (non-particulate procedures), and sampled for equal time intervals. The sampling must be performed with a traversing single-hole probe, or, if feasible, with a stationary multihole probe that samples each of the points sequentially. Alternatively, a multi-hole probe designed and documented to sample equal volumes from each hole may be used to sample simultaneously at the required points.

## SECTION V. APPENDIX C

### NSPS SUBPART KKKK REQUIREMENTS FOR STATIONARY COMBUSTION TURBINES

(3) Notwithstanding paragraph (a)(2) of this section, you may test at fewer points than are specified in EPA Method 1 or EPA Method 20 in appendix A of this part if the following conditions are met:

(i) You may perform a stratification test for NOX and diluent pursuant to

(A) [Reserved], or

(B) The procedures specified in section 6.5.6.1(a) through (c) of appendix A of part 75 of this chapter.

(ii) Once the stratification sampling is completed, you may use the following alternative sample point selection criteria for the performance test:

(A) If each of the individual traverse point NOX concentrations is within  $\pm 10$  percent of the mean concentration for all traverse points, or the individual traverse point diluent concentrations differs by no more than  $\pm 5$  ppm or  $\pm 0.5$  percent CO<sub>2</sub> (or O<sub>2</sub>) from the mean for all traverse points, then you may use three points (located either 16.7, 50.0 and 83.3 percent of the way across the stack or duct, or, for circular stacks or ducts greater than 2.4 meters (7.8 feet) in diameter, at 0.4, 1.2, and 2.0 meters from the wall). The three points must be located along the measurement line that exhibited the highest average NOX concentration during the stratification test; or

(B) For turbines with a NOX standard greater than 15 ppm @ 15% O<sub>2</sub>, you may sample at a single point, located at least 1 meter from the stack wall or at the stack centroid if each of the individual traverse point NOX concentrations is within  $\pm 5$  percent of the mean concentration for all traverse points, or the individual traverse point diluent concentrations differs by no more than  $\pm 3$  ppm or  $\pm 0.3$  percent CO<sub>2</sub> (or O<sub>2</sub>) from the mean for all traverse points; or

(C) For turbines with a NOX standard less than or equal to 15 ppm @ 15% O<sub>2</sub>, you may sample at a single point, located at least 1 meter from the stack wall or at the stack centroid if each of the individual traverse point NOX concentrations is within  $\pm 2.5$  percent of the mean concentration for all traverse points, or the individual traverse point diluent concentrations differs by no more than  $\pm 1$  ppm or  $\pm 0.15$  percent CO<sub>2</sub> (or O<sub>2</sub>) from the mean for all traverse points.

(b) The performance test must be done at any load condition within plus or minus 25 percent of 100 percent of peak load. You may perform testing at the highest achievable load point, if at least 75 percent of peak load cannot be achieved in practice. You must conduct three separate test runs for each performance test. The minimum time per run is 20 minutes.

(1) If the stationary combustion turbine combusts both oil and gas as primary or backup fuels, separate performance testing is required for each fuel.

(2) For a combined cycle and CHP turbine systems with supplemental heat (duct burner), you must measure the total NOX emissions after the duct burner rather than directly after the turbine. The duct burner must be in operation during the performance test.

(3) If water or steam injection is used to control NOX with no additional post-combustion NOX control and you choose to monitor the steam or water to fuel ratio in accordance with §60.4335, then that monitoring system must be operated concurrently with each EPA Method 20 or EPA Method 7E run and must be used to determine the fuel consumption and the steam or water to fuel ratio necessary to comply with the applicable §60.4320 NOX emission limit.

(4) Compliance with the applicable emission limit in §60.4320 must be demonstrated at each tested load level. Compliance is achieved if the three-run arithmetic average NOX emission rate at each tested level meets the applicable emission limit in §60.4320.

(5) If you elect to install a CEMS, the performance evaluation of the CEMS may either be conducted separately or (as described in §60.4405) as part of the initial performance test of the affected unit.

(6) The ambient temperature must be greater than 0 °F during the performance test.

#### **§ 60.4405 How do I perform the initial performance test if I have chosen to install a NOX-diluent CEMS?**

If you elect to install and certify a NOX-diluent CEMS under §60.4345, then the initial performance test required under §60.8 may be performed in the following alternative manner:

(a) Perform a minimum of nine RATA reference method runs, with a minimum time per run of 21 minutes, at a single load level, within plus or minus 25 percent of 100 percent of peak load. The ambient temperature must be greater than 0 °F during the RATA runs.

(b) For each RATA run, concurrently measure the heat input to the unit using a fuel flow meter (or flow meters) and measure the electrical and thermal output from the unit.

(c) Use the test data both to demonstrate compliance with the applicable NOX emission limit under §60.4320 and to provide the required reference method data for the RATA of the CEMS described under §60.4335.

## SECTION V. APPENDIX C

### NSPS SUBPART KKKK REQUIREMENTS FOR STATIONARY COMBUSTION TURBINES

(d) Compliance with the applicable emission limit in §60.4320 is achieved if the arithmetic average of all of the NOX emission rates for the RATA runs, expressed in units of ppm or lb/MWh, does not exceed the emission limit.

#### § 60.4410 How do I establish a valid parameter range if I have chosen to continuously monitor parameters?

If you have chosen to monitor combustion parameters or parameters indicative of proper operation of NOX emission controls in accordance with §60.4340, the appropriate parameters must be continuously monitored and recorded during each run of the initial performance test, to establish acceptable operating ranges, for purposes of the parameter monitoring plan for the affected unit, as specified in §60.4355.

#### § 60.4415 How do I conduct the initial and subsequent performance tests for sulfur?

(a) You must conduct an initial performance test, as required in §60.8. Subsequent SO<sub>2</sub> performance tests shall be conducted on an annual basis (no more than 14 calendar months following the previous performance test). There are three methodologies that you may use to conduct the performance tests.

(1) If you choose to periodically determine the sulfur content of the fuel combusted in the turbine, a representative fuel sample would be collected following ASTM D5287 (incorporated by reference, see §60.17) for natural gas or ASTM D4177 (incorporated by reference, see §60.17) for oil. Alternatively, for oil, you may follow the procedures for manual pipeline sampling in section 14 of ASTM D4057 (incorporated by reference, see §60.17). The fuel analyses of this section may be performed either by you, a service contractor retained by you, the fuel vendor, or any other qualified agency. Analyze the samples for the total sulfur content of the fuel using:

(i) For liquid fuels, ASTM D129, or alternatively D1266, D1552, D2622, D4294, or D5453 (all of which are incorporated by reference, see §60.17); or

(ii) For gaseous fuels, ASTM D1072, or alternatively D3246, D4084, D4468, D4810, D6228, D6667, or Gas Processors Association Standard 2377 (all of which are incorporated by reference, see §60.17).

(2) Measure the SO<sub>2</sub> concentration (in parts per million (ppm)), using EPA Methods 6, 6C, 8, or 20 in appendix A of this part. In addition, the American Society of Mechanical Engineers (ASME) standard, ASME PTC 19-10-1981-Part 10, "Flue and Exhaust Gas Analyses," manual methods for sulfur dioxide (incorporated by reference, see §60.17) can be used instead of EPA Methods 6 or 20. For units complying with the output based standard, concurrently measure the stack gas flow rate, using EPA Methods 1 and 2 in appendix A of this part, and measure and record the electrical and thermal output from the unit. Then use the following equation to calculate the SO<sub>2</sub> emission rate:

$$E = \frac{1.664 \times 10^{-7} * (SO_2)_c * Q_{std}}{P} \quad (\text{Eq. 6})$$

Where:

E = SO<sub>2</sub> emission rate, in lb/MWh

1.664 × 10<sup>-7</sup> = conversion constant, in lb/dscf-ppm

(SO<sub>2</sub>)<sub>c</sub> = average SO<sub>2</sub> concentration for the run, in ppm

Q<sub>std</sub> = stack gas volumetric flow rate, in dscf/hr

P = gross electrical and mechanical energy output of the combustion turbine, in MW (for simple-cycle operation), for combined-cycle operation, the sum of all electrical and mechanical output from the combustion and steam turbines, or, for combined heat and power operation, the sum of all electrical and mechanical output from the combustion and steam turbines plus all useful recovered thermal output not used for additional electric or mechanical generation, in MW, calculated according to §60.4350(f)(2); or

(3) Measure the SO<sub>2</sub> and diluent gas concentrations, using either EPA Methods 6, 6C, or 8 and 3A, or 20 in appendix A of this part. In addition, you may use the manual methods for sulfur dioxide ASME PTC 19-10-1981-Part 10 (incorporated by reference, see §60.17). Concurrently measure the heat input to the unit, using a fuel flowmeter (or flowmeters), and measure the electrical and thermal output of the unit. Use EPA Method 19 in appendix A of this part to calculate the SO<sub>2</sub> emission rate in lb/MMBtu. Then, use Equations 1 and, if necessary, 2 and 3 in §60.4350(f) to calculate the SO<sub>2</sub> emission rate in lb/MWh.

(b) [Reserved]

#### Definitions

#### § 60.4420 What definitions apply to this subpart?

## SECTION V. APPENDIX C

### NSPS SUBPART KKKK REQUIREMENTS FOR STATIONARY COMBUSTION TURBINES

As used in this subpart, all terms not defined herein will have the meaning given them in the Clean Air Act and in subpart A (General Provisions) of this part.

*Combined cycle combustion turbine* means any stationary combustion turbine which recovers heat from the combustion turbine exhaust gases to generate steam that is only used to create additional power output in a steam turbine.

*Combined heat and power combustion turbine* means any stationary combustion turbine which recovers heat from the exhaust gases to heat water or another medium, generate steam for useful purposes other than additional electric generation, or directly uses the heat in the exhaust gases for a useful purpose.

*Combustion turbine model* means a group of combustion turbines having the same nominal air flow, combustor inlet pressure, combustor inlet temperature, firing temperature, turbine inlet temperature and turbine inlet pressure.

*Combustion turbine test cell/stand* means any apparatus used for testing uninstalled stationary or uninstalled mobile (motive) combustion turbines.

*Diffusion flame stationary combustion turbine* means any stationary combustion turbine where fuel and air are injected at the combustor and are mixed only by diffusion prior to ignition.

*Duct burner* means a device that combusts fuel and that is placed in the exhaust duct from another source, such as a stationary combustion turbine, internal combustion engine, kiln, etc., to allow the firing of additional fuel to heat the exhaust gases before the exhaust gases enter a heat recovery steam generating unit.

*Efficiency* means the combustion turbine manufacturer's rated heat rate at peak load in terms of heat input per unit of power output—based on the higher heating value of the fuel.

*Emergency combustion turbine* means any stationary combustion turbine which operates in an emergency situation. Examples include stationary combustion turbines used to produce power for critical networks or equipment, including power supplied to portions of a facility, when electric power from the local utility is interrupted, or stationary combustion turbines used to pump water in the case of fire or flood, etc. Emergency stationary combustion turbines do not include stationary combustion turbines used as peaking units at electric utilities or stationary combustion turbines at industrial facilities that typically operate at low capacity factors. Emergency combustion turbines may be operated for the purpose of maintenance checks and readiness testing, provided that the tests are required by the manufacturer, the vendor, or the insurance company associated with the turbine. Required testing of such units should be minimized, but there is no time limit on the use of emergency combustion turbines.

*Excess emissions* means a specified averaging period over which either (1) the NOX emissions are higher than the applicable emission limit in §60.4320; (2) the total sulfur content of the fuel being combusted in the affected facility exceeds the limit specified in §60.4330; or (3) the recorded value of a particular monitored parameter is outside the acceptable range specified in the parameter monitoring plan for the affected unit.

*Gross useful output* means the gross useful work performed by the stationary combustion turbine system. For units using the mechanical energy directly or generating only electricity, the gross useful work performed is the gross electrical or mechanical output from the turbine/generator set. For combined heat and power units, the gross useful work performed is the gross electrical or mechanical output plus the useful thermal output (i.e., thermal energy delivered to a process).

*Heat recovery steam generating unit* means a unit where the hot exhaust gases from the combustion turbine are routed in order to extract heat from the gases and generate steam, for use in a steam turbine or other device that utilizes steam. Heat recovery steam generating units can be used with or without duct burners.

*Integrated gasification combined cycle electric utility steam generating unit* means a coal-fired electric utility steam generating unit that burns a synthetic gas derived from coal in a combined-cycle gas turbine. No solid coal is directly burned in the unit during operation.

*ISO conditions* means 288 Kelvin, 60 percent relative humidity and 101.3 kilopascals pressure.

*Lean premix stationary combustion turbine* means any stationary combustion turbine where the air and fuel are thoroughly mixed to form a lean mixture before delivery to the combustor. Mixing may occur before or in the combustion chamber. A lean premixed turbine may operate in diffusion flame mode during operating conditions such as startup and shutdown, extreme ambient temperature, or low or transient load.

*Natural gas* means a naturally occurring fluid mixture of hydrocarbons (e.g., methane, ethane, or propane) produced in geological formations beneath the Earth's surface that maintains a gaseous state at standard atmospheric temperature and pressure under ordinary conditions. Additionally, natural gas must either be composed of at least 70 percent methane by volume or have a gross calorific value between 950 and 1,100 British thermal units (Btu) per standard cubic foot. Natural gas does not include the following gaseous fuels: landfill gas, digester gas, refinery gas, sour gas, blast furnace gas, coal-derived gas, producer gas, coke oven gas, or any gaseous fuel produced in a process which might result in highly variable sulfur content or heating value.



**SECTION V. APPENDIX C**

**NSPS SUBPART KKKK REQUIREMENTS FOR STATIONARY COMBUSTION TURBINES**

*Noncontinental area* means the State of Hawaii, the Virgin Islands, Guam, American Samoa, the Commonwealth of Puerto Rico, the Northern Mariana Islands, or offshore platforms.

*Peak load* means 100 percent of the manufacturer's design capacity of the combustion turbine at ISO conditions.

*Regenerative cycle combustion turbine* means any stationary combustion turbine which recovers heat from the combustion turbine exhaust gases to preheat the inlet combustion air to the combustion turbine.

*Simple cycle combustion turbine* means any stationary combustion turbine which does not recover heat from the combustion turbine exhaust gases to preheat the inlet combustion air to the combustion turbine, or which does not recover heat from the combustion turbine exhaust gases for purposes other than enhancing the performance of the combustion turbine itself.

*Stationary combustion turbine* means all equipment, including but not limited to the turbine, the fuel, air, lubrication and exhaust gas systems, control systems (except emissions control equipment), heat recovery system, and any ancillary components and sub-components comprising any simple cycle stationary combustion turbine, any regenerative/recuperative cycle stationary combustion turbine, any combined cycle combustion turbine, and any combined heat and power combustion turbine based system. Stationary means that the combustion turbine is not self propelled or intended to be propelled while performing its function. It may, however, be mounted on a vehicle for portability.

*Unit operating day* means a 24-hour period between 12 midnight and the following midnight during which any fuel is combusted at any time in the unit. It is not necessary for fuel to be combusted continuously for the entire 24-hour period.

*Unit operating hour* means a clock hour during which any fuel is combusted in the affected unit. If the unit combusts fuel for the entire clock hour, it is considered to be a full unit operating hour. If the unit combusts fuel for only part of the clock hour, it is considered to be a partial unit operating hour.

*Useful thermal output* means the thermal energy made available for use in any industrial or commercial process, or used in any heating or cooling application, i.e., total thermal energy made available for processes and applications other than electrical or mechanical generation. Thermal output for this subpart means the energy in recovered thermal output measured against the energy in the thermal output at 15 degrees Celsius and 101.325 kilopascals of pressure.

**Table 1\_to Subpart KKKK of Part 60\_Nitrogen Oxide Emission Limits for New Stationary Combustion Turbines**

<b>Combustion turbine type</b>	<b>Combustion turbine heat input at peak load (HHV)</b>	<b>NOX emission standard</b>
New turbine firing natural gas, electric generating	[le] 50 MMBtu/h...	42 ppm at 15. percent O2 or 290 ng/J of useful output (2.3 lb/MWh).
New turbine firing natural gas, mechanical drive.	[le] 50 MMBtu/h...	100 ppm at 15 percent O2 or 690 ng/J of useful output (5.5 lb/MWh).
New turbine firing natural gas.	> 50 MMBtu/h and [le] 850 MMBtu/h	25 ppm at 15 percent O2 or 150 ng/J of useful output (1.2 lb/MWh).
New, modified, or reconstructed turbine firing natural gas.	> 850 MMBtu/h...	15 ppm at 15 percent O2 or 54 ng/J of useful output (0.43 lb/MWh)
New turbine firing fuels other than natural gas, electric generating	[le] 50 MMBtu/h...	96 ppm at 15 percent O2 or 700 ng/J of useful output (5.5 lb/MWh).
New turbine firing fuels other than natural gas, mechanical drive.	[le] 50 MMBtu/h...	150 ppm at 15 percent O2 or 1,100 ng/J of useful output (8.7 lb/MWh).
New turbine firing fuels other than natural gas	> 50 MMBtu/h and [le] 850 MMBtu/h	74 ppm at 15 percent O2 or 460 ng/J of useful output (3.6 lb/MWh).
New, modified, or reconstructed turbine firing fuels other than	> 850 MMBtu/h...	42 ppm at 15 percent O2 or 160

**SECTION V. APPENDIX C**

**NSPS SUBPART KKKK REQUIREMENTS FOR STATIONARY COMBUSTION TURBINES**

natural gas.		ng/J of useful output (1.3 lb/MWh).
Modified or reconstructed turbine.	[le] 50 MMBtu/h...	150 ppm at 15 percent O <sub>2</sub> or 1,100 ng/J of useful output (8.7 lb/MWh).
Modified or reconstructed turbine firing natural gas.	> 50 MMBtu/h and [le] 850 MMBtu/h.	42 ppm at 15 percent O <sub>2</sub> or 250 ng/J of useful output (2.0 lb/MWh).
Modified or reconstructed turbine firing fuels other than natural gas.	> 50 MMBtu/h and [le] 850 MMBtu/h	96 ppm at 15 percent O <sub>2</sub> or 590 ng/J of useful output (4.7 lb/MWh).
Turbines located north of the Arctic Circle (latitude 66.5 degrees north), turbines operating at less than 75 percent of peak load, modified and reconstructed offshore turbines, and turbine operating at temperatures less than 0 °F.	[le] 30 MW output.	150 ppm at 15 percent O <sub>2</sub> or 1,100 ng/J of useful output (8.7 lb/MWh).
Turbines located north of the Arctic Circle (latitude 66.5 degrees north), turbines operating at less than percent of peak load, modified and reconstructed offshore turbines, and turbine operating at temperatures less than 0°F.	> 30 MW output.	96 ppm at 15 percent O <sub>2</sub> or 590 ng/J of useful 75 output (4.7 lb/MWh).
Heat recovery units operating independent of the combustion turbine.	All sizes.....	54 ppm at 15 percent O <sub>2</sub> or 110 ng/J of useful output (0.86 lb/MWh).

**SECTION V. APPENDIX D**  
**STANDARD CONDITIONS**

---

Unless otherwise specified in the permit, the following conditions apply to all emissions units and activities at this facility.

**EMISSIONS AND CONTROLS**

1. Plant Operation - Problems: If temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by fire, wind or other cause, the permittee shall notify each Compliance Authority as soon as possible, but at least within one working day, excluding weekends and holidays. The notification shall include: pertinent information as to the cause of the problem; steps being taken to correct the problem and prevent future recurrence; and, where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with the conditions of this permit or the regulations. [Rule 62-4.130, F.A.C.]
2. Circumvention: The permittee shall not circumvent the air pollution control equipment or allow the emission of air pollutants without this equipment operating properly. [Rule 62-210.650, F.A.C.]
3. Excess Emissions Allowed: Excess emissions resulting from startup, shutdown or malfunction of any emissions unit shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration. [Rule 62-210.700(1), F.A.C.]
4. Excess Emissions Prohibited: Excess emissions caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C.]
5. Excess Emissions - Notification: In case of excess emissions resulting from malfunctions, the permittee shall notify the Department or the appropriate Local Program in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department. [Rule 62-210.700(6), F.A.C.]
6. VOC or OS Emissions: No person shall store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department. [Rule 62-296.320(1), F.A.C.]
7. Objectionable Odor Prohibited: No person shall cause, suffer, allow or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. An "objectionable odor" means any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance. [Rules 62-296.320(2) and 62-210.200(203), F.A.C.]
8. General Visible Emissions: No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity equal to or greater than 20 percent opacity. [Rule 62-296.320(4)(b)1, F.A.C.]
9. Unconfined Particulate Emissions: During the construction period, unconfined particulate matter emissions shall be minimized by dust suppressing techniques such as covering and/or application of water or chemicals to the affected areas, as necessary. [Rule 62-296.320(4)(c), F.A.C.]

**TESTING REQUIREMENTS**

10. Required Number of Test Runs: For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured; provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's emission rate. The three required test runs shall be completed within one consecutive five-day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five-day period allowed for the test, the Secretary or his or her designee may accept the results of two complete runs as proof of compliance, provided that the arithmetic mean of the two complete runs is at least 20% below the allowable emission limiting standard. [Rule 62-297.310(1), F.A.C.]

**SECTION V. APPENDIX D**  
**STANDARD CONDITIONS**

---

11. Operating Rate During Testing: Testing of emissions shall be conducted with the emissions unit operating at permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the maximum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test rate until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity. [Rule 62-297.310(2), F.A.C.]
12. Calculation of Emission Rate: For each emissions performance test, the indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the three separate test runs unless otherwise specified in a particular test method or applicable rule. [Rule 62-297.310(3), F.A.C.]
13. Test Procedures: Tests shall be conducted in accordance with all applicable requirements of Chapter 62-297, F.A.C.
  - a. Required Sampling Time. Unless otherwise specified in the applicable rule, the required sampling time for each test run shall be no less than one hour and no greater than four hours, and the sampling time at each sampling point shall be of equal intervals of at least two minutes. The minimum observation period for a visible emissions compliance test shall be thirty (30) minutes. The observation period shall include the period during which the highest opacity can reasonably be expected to occur.
  - b. Minimum Sample Volume. Unless otherwise specified in the applicable rule or test method, the minimum sample volume per run shall be 25 dry standard cubic feet.
  - c. Calibration of Sampling Equipment. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1, F.A.C.[Rule 62-297.310(4), F.A.C.]
14. Determination of Process Variables
  - a. Required Equipment. The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables, such as process weight input or heat input, when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.
  - b. Accuracy of Equipment. Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value.[Rule 62-297.310(5), F.A.C.]
15. Sampling Facilities: The permittee shall install permanent stack sampling ports and provide sampling facilities that meet the requirements of Rule 62-297.310(6), F.A.C.
16. Test Notification: The owner or operator shall notify the Department, at least 15 days prior to the date on which each formal compliance test is to begin, of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator. [Rule 62-297.310(7)(a)9, F.A.C.]
17. Special Compliance Tests: When the Department, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department. [Rule 62-297.310(7)(b), F.A.C.]
18. Test Reports: The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Department on the results of each such test. The required test report shall be filed with the Department as soon as practical but no later than 45 days after the last sampling run of each test is completed. The test report shall provide

**SECTION V. APPENDIX D**  
**STANDARD CONDITIONS**

---

sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information:

- 1) The type, location, and designation of the emissions unit tested.
- 2) The facility at which the emissions unit is located.
- 3) The owner or operator of the emissions unit.
- 4) The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
- 5) The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
- 6) The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
- 7) A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
- 8) The date, starting time and duration of each sampling run.
- 9) The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
- 10) The number of points sampled and configuration and location of the sampling plane.
- 11) For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
- 12) The type, manufacturer and configuration of the sampling equipment used.
- 13) Data related to the required calibration of the test equipment.
- 14) Data on the identification, processing and weights of all filters used.
- 15) Data on the types and amounts of any chemical solutions used.
- 16) Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
- 17) The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
- 18) All measured and calculated data required to be determined by each applicable test procedure for each run.
- 19) The detailed calculations for one run that relate the collected data to the calculated emission rate.
- 20) The applicable emission standard, and the resulting maximum allowable emission rate for the emissions unit, plus the test result in the same form and unit of measure.
- 21) A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. When a compliance test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

[Rule 62-297.310(8), F.A.C.]

**RECORDS AND REPORTS**

19. Records Retention: All measurements, records, and other data required by this permit shall be documented in a permanent, legible format and retained for at least five (5) years following the date on which such measurements, records, or data are recorded. Records shall be made available to the Department upon request. [Rules 62-4.160(14) and 62-213.440(1)(b)2, F.A.C.]
20. Annual Operating Report: The permittee shall submit an annual report that summarizes the actual operating rates and emissions from this facility. Annual operating reports shall be submitted to the Compliance Authority by March 1st of each year. [Rule 62-210.370(2), F.A.C.]

SECTION V - APPENDIX E

PERMIT HISTORY

OLEANDER POWER PROJECT, L.P.

OLEANDER POWER PROJECT

Permit No. 0090180-004-AV

APPENDIX E PERMIT HISTORY/ID NUMBER CHANGES.

Permit History (for tracking purposes):

E.U. ID No.	Description	Permit No.	Issue Date	Expiration Date	Revised Date(s)
-001	Simple-Cycle Combustion Turbine	0090180-001-AC (PSD-FL-258)		3/26/03	
-002	Simple-Cycle Combustion Turbine	0090180-001-AC (PSD-FL-258)		3/26/03	
-003	Simple-Cycle Combustion Turbine	0090180-001-AC (PSD-FL-258)		3/26/03	
-004	Simple-Cycle Combustion Turbine	0090180-001-AC (PSD-FL-258)		3/26/03	
<u>-005</u>	<u>Simple-Cycle Combustion Turbine</u>	<u>0090180-003-AC</u> <u>(PSD-FL-377)</u>		<u>6/1/2008</u>	<u>July 26, 2008</u>
-006	Fuel Oil Storage Tank	0090180-001-AC (PSD-FL-258)		3/26/03	
-007	Fuel Oil Storage Tank	0090180-001-AC (PSD-FL-258)		3/26/03	

**SECTION V - APPENDIX F  
SUMMARY TABLES**

**Table 1-1. Summary of Air Pollutant Standards and Terms.**

<b>Oleander Power Project, L.P.</b> <b>Oleander Power Project</b>	Permit No. <b>0090180-004-AV</b> Facility ID No. <b>0090180</b>
--	--

These tables summarize information for convenience purposes only, and do not supersede any of the terms or conditions of this permit.

E.U. ID Nos.	Brief Description
-001	Simple-Cycle Combustion Turbine
-002	Simple-Cycle Combustion Turbine
-003	Simple-Cycle Combustion Turbine
-004	Simple-Cycle Combustion Turbine

Pollutant	Fuels	Allowable Emissions		Equivalent Emissions*		Regulatory Citation(s)	See permit condition(s)
		Standard(s)	lbs./hour	lbs./hour	TPY		
<b>Visible Emissions</b>	gas	10% Opacity	N/A	N/A	N/A	0090180-001-AC	<b>A.14.</b>
	oil	10% Opacity					
<b>Particulate Matter</b>	gas	10% Opacity	N/A	9.0	N/A		
	oil	10% Opacity		17.0			
<b>Carbon Monoxide</b>	gas	12 ppmvd	41.0	N/A	N/A		<b>A.12.</b>
	oil	20 ppmvd	66.9				
<b>Sulfur Dioxide</b>	gas	1 grain sulfur per 100 scf	5.5	N/A	N/A		<b>A.13.</b>
	oil	0.05% sulfur, by weight	103.4				
<b>Nitrogen Oxides</b>	gas	9 ppmvd	62.6	N/A	N/A	<b>A.11.</b>	
	oil	42 ppmvd					

E.U. ID Nos.	Brief Description
-005	Simple-Cycle Combustion Turbine

Pollutant	Fuels	Allowable Emissions		Equivalent Emissions*		Regulatory Citation(s)	See permit condition(s)	
		Standard(s)	lbs./hour	lbs./hour	TPY			
<b>Visible Emissions</b>	gas	10% Opacity	N/A	N/A	N/A	0090180-003-AC	<b>C.9.</b>	
	oil	10% Opacity						
<b>Particulate Matter</b>	gas	10% Opacity	N/A	9.0	N/A			
	oil	10% Opacity		17.0				
<b>Carbon Monoxide</b>	gas	12 ppmvd	41.0	N/A	N/A			
	oil	20 ppmvd	66.9					
<b>Sulfur Dioxide</b>	gas	1 grain sulfur per 100 scf	5.5	N/A	N/A			
	oil	0.05% sulfur, by weight	103.4					
<b>Nitrogen Oxides</b>	gas	9 ppmvd	62.6	N/A	N/A			
	oil	42 ppmvd						

Notes:  
\*The "Equivalent Emissions" listed are for informational purposes only.

**SECTION V - APPENDIX F**  
**SUMMARY TABLES**

<b>Table 2-1. Summary of Compliance Requirements</b>					
E.U. ID Nos.	Brief Description				
-001	Simple-Cycle Combustion Turbine				
-002	Simple-Cycle Combustion Turbine				
-003	Simple-Cycle Combustion Turbine				
-004	Simple-Cycle Combustion Turbine				
Pollutant	Fuels	Compliance Method	Testing Time Frequency	CMS*	See permit condition(s)
<b>Visible Emissions</b>	gas oil	EPA Method 9	Annual		<b>A.30.</b>
<b>Particulate Matter</b>	gas oil	VE emissions shall serve as a surrogate.			<b>A.32.</b>
<b>Carbon Monoxide</b>	gas oil	EPA Method 10	Annual		<b>A.30.</b>
<b>Sulfur Dioxide</b>	gas oil	Fuel sampling and analysis	Daily		<b>A.32.</b>
<b>Nitrogen Oxides</b>	gas oil	CMS*	Continuous	Yes	<b>A.30., A.31.</b>
Notes:					
*CMS [=] continuous monitoring system					
E.U. ID No.	Brief Description				
-005	Simple-Cycle Combustion Turbine				
Pollutant	Fuels	Compliance Method	Testing Time Frequency	CMS*	See permit condition(s)
<b>Visible Emissions</b>	gas oil	EPA Method 9	Annual		<b>C.16.</b>
<b>Particulate Matter</b>	gas oil	VE emissions shall serve as a surrogate.			<b>C.12.</b>
<b>Sulfur Dioxide</b>	gas oil	Fuel sampling and analysis	Daily		<b>C.11.</b>
<b>Nitrogen Oxides</b>	gas oil	CMS*	Continuous	Yes	<b>C.16., C.17.</b>
Notes:					
*CMS [=] continuous monitoring system					



**SECTION V - APPENDIX G**  
**INSIGNIFIGANT EMISSIONS UNITS OR ACTIVITIES**

**APPENDIX G - LIST OF INSIGNIFICANT EMISSIONS UNITS AND/OR ACTIVITIES.**

Oleander Power Project, L.P.

**Permit No. 0090180-004-AV**

**OLEANDER POWER PROJECT**

The facilities, emissions units, or pollutant-emitting activities listed in Rule 62-210.300(3)(a), F.A.C., Categorical Exemptions, or that meet the criteria specified in Rule 62-210.300(3)(b)1., F.A.C., Generic Emissions Unit Exemption, are exempt from the permitting requirements of Chapters 62-210, 62-212 and 62-4, F.A.C.; provided, however, that exempt emissions units shall be subject to any applicable emission limiting standards and the emissions from exempt emissions units or activities shall be considered in determining the potential emissions of the facility containing such emissions units. Emissions units and pollutant-emitting activities exempt from permitting under Rules 62-210.300(3)(a) and (b)1., F.A.C., shall not be exempt from the permitting requirements of Chapter 62-213, F.A.C., if they are contained within a Title V source; however, such emissions units and activities shall be considered insignificant for Title V purposes provided they also meet the criteria of Rule 62-213.430(6)(b), F.A.C. No emissions unit shall be entitled to an exemption from permitting under Rules 62-210.300(3)(a) and (b)1., F.A.C., if its emissions, in combination with the emissions of other units and activities at the facility, would cause the facility to emit or have the potential to emit any pollutant in such amount as to make the facility a Title V source.

The below listed emissions units and/or activities are considered insignificant pursuant to Rule 62-213.430(6), F.A.C.

Brief Description of Emissions Units and/or Activities:

1.	Miscellaneous Buildings H.V.A.C.
2.	Sanitary Vents and Stacks.
3.	Miscellaneous Buildings Vent and Exhaust Systems.
4.	Miscellaneous Maintenance Facilities (e.g., air compressors, sandblasting units, lawn maintenance, etc.).
5.	Gas Bottle Storage.
6.	Unpaved Roads (i.e., fugitive dust).
7.	Sumps (oily wastewater separators).
8.	Light Fuel Oil Tanker Unloading Dock Area.
9.	Waste Accumulation and Product Storage Areas.
10.	Emergency Equipment (e.g., CO <sub>2</sub> -based fire protection system).
	The following activities are associated with the four Combustion Turbines, and are a representative sample of the total identified.
11.	Gas Line Vents for the Combustion Turbines.
12.	Lube Oil Storage Tank (6200 gallon).
13.	Auxiliary Cabinet Water Drains.
14.	Auxiliary Cabinet Oil Drains.
15.	Fuel Gas Heaters.
16.	Fuel Oil Storage Tank (900,000 gallon)

**SECTION V – APPENDIX H  
ACID RAIN PART APPLICATION**

Acid Rain Part- Page 1

## Acid Rain Part Application

For more information, see instructions and refer to 40 CFR 72.30 and 72.31 and Chapter 62-214, F.A.C.

This submission is:  New  Revised

**STEP 1**

Identify the source by --  
plant name, State, and  
ORIS code.

Plant Name <b>Oleander Power Project, L.P.</b>	State <b>FL</b>	ORIS Code <b>55286</b>
--	-----------------	------------------------

**STEP 2**

Enter the unit ID# for every  
Acid Rain unit at the Acid  
Rain source in column "a."  
For new units, enter the  
requested information in  
columns "c" and "d."

a Unit ID#	b Unit will hold allowances in accordance with 40 CFR 72.9(c)(1)	c New Units  Commence Operation Date	d New Units  Monitor Certification Deadline
OZG1	Yes		
OZG2	Yes		
OZG3	Yes		
OZG4	Yes		
OZG5	Yes	12/2007	12/2007
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		

DEP Form No. 62-210.900(1)(a) - Form  
Effective: 06/16/03

**SECTION V – APPENDIX H**  
**ACID RAIN PART APPLICATION**

Acid Rain Part - Page 2

Plant Name (from Step 1) **Oleander Power Project, L.P.**

**STEP 3**  
**Read the standard requirements**

Acid Rain Part Requirements

- (1) The designated representative of each Acid Rain source and each Acid Rain unit at the source shall:
  - (i) Submit a complete Acid Rain part application (including a compliance plan) under 40 CFR part 72 and Rules 62-214.320 and 330, F.A.C., in accordance with the deadlines specified in Rule 62-214.320, F.A.C.; and
  - (ii) Submit in a timely manner any supplemental information that the Department determines is necessary in order to review an Acid Rain part application and issue or deny an Acid Rain part;
- (2) The owners and operators of each Acid Rain source and each Acid Rain unit at the source shall:
  - (i) Operate the unit in compliance with a complete Acid Rain part application or a superseding Acid Rain part issued by the Department; and
  - (ii) Have an Acid Rain Part.

Monitoring Requirements

- (1) The owners and operators and, to the extent applicable, designated representative of each Acid Rain source and each Acid Rain unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75, and Rule 62-214.420, F.A.C.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the unit with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
- (3) The requirements of 40 CFR part 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

Sulfur Dioxide Requirements

- (1) The owners and operators of each source and each Acid Rain unit at the source shall:
  - (i) Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c)), or in the compliance subaccount of another Acid Rain unit at the same source to the extent provided in 40 CFR 73.35(b)(3), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
  - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
- (3) An Acid Rain unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
  - (i) Starting January 1, 2000, an Acid Rain unit under 40 CFR 72.6(a)(2); or
  - (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an Acid Rain unit under 40 CFR 72.6(a)(3).
- (4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain part application, the Acid Rain part, or an exemption under 40 CFR 72.7 or 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

Nitrogen Oxides Requirements The owners and operators of the source and each Acid Rain unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

Excess Emissions Requirements

- (1) The designated representative of an Acid Rain unit that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77.
- (2) The owners and operators of an Acid Rain unit that has excess emissions in any calendar year shall:
  - (i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
  - (ii) Comply with the terms of an approved offset plan, as required by 40 CFR part 77.

Recordkeeping and Reporting Requirements

- (1) Unless otherwise provided, the owners and operators of the source and each Acid Rain unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the EPA or the Department:
  - (i) The certificate of representation for the designated representative for the source and each Acid Rain unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with Rule 62-214.350, F.A.C.; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
  - (ii) All emissions monitoring information, in accordance with 40 CFR part 75, provided that to the extent that 40 CFR part 75 provides for a 3-year period for recordkeeping, the 3-year period shall apply;
  - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and

DEP Form No. 62-210.900(1)(a) - Form  
Effective: 08/16/03

SECTION V – APPENDIX H  
ACID RAIN PART APPLICATION

Plant Name (from Step 1) Oleander Power Project, L.P.

STEP 3,  
Cont'd.

Recordkeeping and Reporting Requirements (cont)

(iv) Copies of all documents used to complete an Acid Rain part application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.

(2) The designated representative of an Acid Rain source and each Acid Rain unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Liability.

(1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain part application, an Acid Rain part, or an exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.

(2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.

(3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.

(4) Each Acid Rain source and each Acid Rain unit shall meet the requirements of the Acid Rain Program.

(5) Any provision of the Acid Rain Program that applies to an Acid Rain source (including a provision applicable to the designated representative of an Acid Rain source) shall also apply to the owners and operators of such source and of the Acid Rain units at the source.

(6) Any provision of the Acid Rain Program that applies to an Acid Rain unit (including a provision applicable to the designated representative of an Acid Rain unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 78.11 (NO<sub>x</sub> averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one Acid Rain unit shall not be liable for any violation by any other Acid Rain unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.

(7) Each violation of a provision of 40 CFR parts 72, 73, 75, 76, 77, and 78 by an Acid Rain source or Acid Rain unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Effect on Other Authorities.

No provision of the Acid Rain Program, an Acid Rain part application, an Acid Rain part, or an exemption under 40 CFR 72.7 or 72.8 shall be construed as:

(1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an Acid Rain source or Acid Rain unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;

(2) Limiting the number of allowances a unit can hold; provided, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act;

(3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;

(4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,

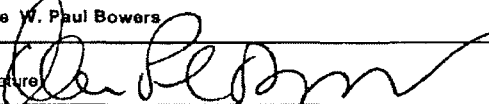
(5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

STEP 4

Certification

Read the certification statement, sign, and date

I am authorized to make this submission on behalf of the owners and operators of the Acid Rain source or Acid Rain units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name <u>W. Paul Bowers</u>	
Signature 	Date <u>5 Sept 06</u>

**Walker, Elizabeth (AIR)**

**From:** White, Kevin [KWHITE@southernco.com] **Sent:** Mon 7/7/2008 4:53 PM  
**To:** Walker, Elizabeth (AIR)  
**Cc:** Miller, Joseph L. (SPC); Starks, Circe (SPC)  
**Subject:** RE: Notice of DRAFT/PROPOSED PERMIT ISSUANCE: OLEANDER POWER PROJECT; 0090180-004-AV

**Attachments:**

This document has been received.

Thank you!

Kevin White

---

**From:** Walker, Elizabeth (AIR) [mailto:Elizabeth.Walker@dep.state.fl.us]  
**Sent:** Monday, July 07, 2008 3:40 PM  
**To:** Miller, J. C.; White, Kevin  
**Cc:** danois.gracy@epa.gov; forney.katy@epa.gov; Bradner, James; Thomas, Bruce X.; Holtom, Jonathan; Friday, Barbara; Vielhauer, Trina  
**Subject:** Notice of DRAFT/PROPOSED PERMIT ISSUANCE: OLEANDER POWER PROJECT; 0090180-004-AV

Dear Sir/Madam:

**Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).**

This is the official notification of Draft/Proposed Permit Issuance for the following project:

**Owner/Company Name:** OLEANDER POWER PROJECT, LP  
**Facility Name:** OLEANDER POWER PROJECT  
**Project Number:** 0090180-004-AV  
**Permit Status:** DRAFT/PROPOSED  
**Permit Activity:** PERMIT REVISION  
**Facility County:** BREVARD

**Processor:** Bruce Thomas

Link to Project Documents: [http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf\\_permit\\_zip\\_files/0090180.004.AV.D\\_pdf.zip](http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0090180.004.AV.D_pdf.zip)

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Access these documents by clicking on the link provided above, or search for other project documents using the "*Air Permit Documents Search*" website at <http://www.dep.state.fl.us/air/eproducts/apds/default.asp>.

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record. If you have any problems opening the documents or would like further information, please contact the Florida Department of Environmental Protection, Bureau of Air Regulation at (850)488-0114.

Thank you,

Elizabeth Walker

Bureau of Air Regulation

(850)921-9505

*The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.*

**Walker, Elizabeth (AIR)**

---

**From:** White, Kevin [KWHITE@southernco.com]  
**Sent:** Monday, July 07, 2008 4:53 PM  
**To:** Walker, Elizabeth (AIR)  
**Cc:** Miller, Joseph L. (SPC); Starks, Circe (SPC)  
**Subject:** RE: Notice of DRAFT/PROPOSED PERMIT ISSUANCE: OLEANDER POWER PROJECT; 0090180-004-AV

This document has been received.

Thank you!

Kevin White

---

**From:** Walker, Elizabeth (AIR) [mailto:Elizabeth.Walker@dep.state.fl.us]  
**Sent:** Monday, July 07, 2008 3:40 PM  
**To:** Miller, J. C.; White, Kevin  
**Cc:** danois.gracy@epa.gov; forney.katy@epa.gov; Bradner, James; Thomas, Bruce X.; Holtom, Jonathan; Friday, Barbara; Vielhauer, Trina  
**Subject:** Notice of DRAFT/PROPOSED PERMIT ISSUANCE: OLEANDER POWER PROJECT; 0090180-004-AV

Dear Sir/Madam:

**Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).**

This is the official notification of Draft/Proposed Permit Issuance for the following project:

**Owner/Company Name:** OLEANDER POWER PROJECT, LP  
**Facility Name:** OLEANDER POWER PROJECT  
**Project Number:** 0090180-004-AV  
**Permit Status:** DRAFT/PROPOSED  
**Permit Activity:** PERMIT REVISION  
**Facility County:** BREVARD

**Processor:** Bruce Thomas

Link to Project Documents: [http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf\\_permit\\_zip\\_files/0090180.004.AV.D\\_pdf.zip](http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0090180.004.AV.D_pdf.zip)

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Access these documents by clicking on the link provided above, or search for other project documents using the "Air Permit Documents Search" website at <http://www.dep.state.fl.us/air/eproducts/apds/default.asp>.

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible. Please advise this office of any changes to your e-mail address or that of the

Engineer-of-Record. If you have any problems opening the documents or would like further information, please contact the Florida Department of Environmental Protection, Bureau of Air Regulation at (850)488-0114.

Thank you,

Elizabeth Walker  
Bureau of Air Regulation  
(850)921-9505

*The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.*